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A HISTORY OF THE AMERICAN PEOPLE

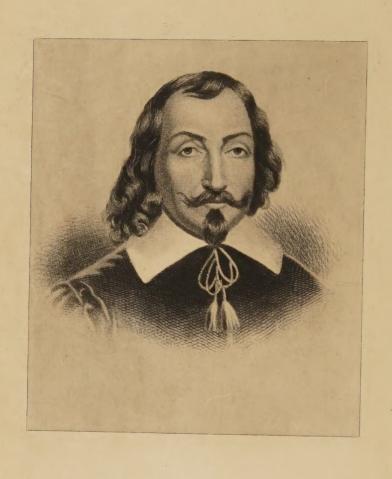
WOODROW WILSON, Ph.D., LITT.D., LL.D.

DOCUMENTARY EDITION

IN TEN VOLUMES



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DOCUMENTARY EDITION

A HISTORY OF THE AMERICAN PEOPLE

BY

WOODROW WILSON, Ph.D., LITT.D., LL.D.

PRESIDENT OF THE UNITED STATES

ENLARGED BY THE ADDITION OF ORIGINAL SOURCES AND LEADING DOCUMENTS OF AMERICAN HISTORY INCLUDING NARRATIVES OF EARLY EXPLORERS, GRANTS, CHARTERS, CONCESSIONS, TREATIES, REVOLUTIONARY DOCUMENTS, STATE PAPERS, PROCLAMATIONS AND ENACTMENTS

ILLUSTRATED WITH CONTEMPORARY VIEWS,
PORTRAITS, FACSIMILES AND MAPS SELECTED
FROM RARE BOOKS AND PRINTS

IN TEN VOLUMES

VOLUME III



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A HISTORY OF THE AMERICAN PEOPLE

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PART I.



A HISTORY OF THE AMERICAN PEOPLE

CHAPTER I

COMMON UNDERTAKINGS

THERE had been some noteworthy passages in the reports which Colonel Francis Nicholson sent to the government at home when he was first governor of Virginia (1690); for he studied his duties in those days with wide-open eyes, and had sometimes written of what he saw with a very statesmanlike breadth and insight. It was very noteworthy, among other things, that he had urged a defensive confederation of the colonies against the French and Indians, under the leadership of Virginia, the most loval of the colonies. He had made it his business to find out what means of defence and what effective military force there were in the other colonies, particularly in those at the north, conferring with their authorities with regard to these matters in person when he could not get the information he wished by deputy. The King and his ministers in England saw very clearly, when they read his careful despatches, that they could not wisely act upon such suggestions yet; but they knew that what Colonel

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Nicholson thus openly and definitely advised was what must occur to the mind of every thoughtful and observant man who was given a post of authority and guidance in the colonies, whether he thought it wise to advise action in the matter or not. It was evident, indeed, even to some who were not deemed thoughtful at all. Even the heedless, negligent Lord Culpeper, little as he really cared for the government he had been set to conduct, had suggested eight years ago that all questions of war and peace in the colonies should be submitted for final decision to the governor and council of Virginia, where it might be expected that the King's interests would be loyally looked after and safeguarded.

No doubt the colonies would have objected to and resisted such an arrangement with a very hot resentment, and no one in authority in London dreamed for a moment of taking either Lord Culpeper's or Colonel Nicholson's advice in the matter; but it was none the less obvious that the King and his officers must contrive some way, if they could, by which they might use the colonies as a single power against the French in America, if England was indeed to make and keep an empire there. If King James, who leaned upon France as an ally and prayed for the dominion of the Church of Rome, had seen this, it was not likely that William of Orange, who was the arch-enemy of France and the champion of Protestantism against Rome, would overlook it. He was no sooner on the throne than England was plunged into a long eight years' war with the French. And so it happened that the colonies seemed to reap little advantage from the "glorious revolution" which had put out a tyrant and brought in a constitutional

COMMON UNDERTAKINGS

King. William of Orange, it presently appeared, meant to unite groups of colonies under the authority of a single royal governor, particularly at the north, where the French power lay, as James before him had done; giving to the governors of the principal colonies the right to command the military forces of the colonies



PLAN OF CHARLESTON, SOUTH CAROLINA, 1732

about them even if he gave them no other large gift of power. He did more than James had done. Being a statesman and knowing the value of systematic administration, he did systematically what James had done loosely and without consistent plan. The Board of Trade and Plantations, which he organized to oversee and direct the government of the colonies, did more to keep their affairs under the eye and hand of the King

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than any group of James's ministers had been able to do. The great Dutch King was determined to wield England and her possessions as a single imperial power in the game of politics he was playing in Europe.

The French power, which he chiefly feared, had really grown very menacing in America; was growing more so every year; and must very soon indeed be faced and overcome, if the English were not to be shut in to a narrow seaboard, or ousted altogether. It was not a question of numbers. It was a question of territorial aggrandizement, rather, and strategic advantage. Probably there were not more than twelve thousand Frenchmen, all told, in America when William became King (1689); whereas his own subjects swarmed there full two hundred thousand strong, and were multiplying by the tens of thousands from decade to decade. But the French were building military posts at every strategic point as they went, while the English were building nothing but rural homes and open villages. the French it did not seem a matter of settlement; it seemed a matter of conquest, rather, and of military occupation. They were guarding trade routes and making sure of points of advantage. The English way was the more wholesome and the more vital. hardy, self-dependent, crowding people like the English in Massachusetts and Virginia, and the Dutch in New York, took root wherever they went, spread into real communities, and were not likely to be got rid of when once their number had run into the thousands. Their independence, too, and their capable way of managing their own affairs without asking or wanting or getting any assistance from government, made them as hard to handle as if they had been themselves an established

COMMON UNDERTAKINGS

continental power. But the French had an advantage, nevertheless, which was not to be despised. They moved as they were ordered to move by an active and watchful government which was in the thick of critical happenings where policies were made, and which meant to cramp the English, if it could not actually get rid of them. They extended and organized the military power of France as they went; and they were steadily girdling the English about with a chain of posts and



NEW ORLEANS IN 1719

settlements which bade fair to keep all the northern and western regions of the great continent for the King of France, from the mouth of the St. Lawrence round about, two thousand miles, to the outlets of the Mississippi at the Gulf.

Their movement along the great rivers and the lakes had been very slow at first; but it had quickened from generation to generation, and was now rapid enough to fix the attention of any man who could hear news and had his eyes abroad upon what was happening

about him. Jacques Cartier had explored the noble river St. Lawrence for his royal master of France a long century and a half ago, in the far year 1535, fifty vears before the English so much as attempted a settlement. But it was not until 1608, the year after Jamestown was begun, that Samuel de Champlain established the first permanent French settlement, at Ouebec, and there were still but two hundred lonely settlers there when nearly thirty years more had gone by (1636). It was the quick growth and systematic explorations of the latter part of the century that made the English uneasy. The twelve thousand Frenchmen who were busy at the work of occupation when William of Orange became King had not confined themselves to the settlements long ago made in the Bay of Fundy and at Montreal, Quebec, and Tadousac, where the great river of the north broadened to the sea. They had carried their boats across from the upper waters of the Ottawa to the open reaches of Lake Huron; had penetrated thence to Lake Michigan, and even to the farthest shores of Lake Superior, establishing forts and trading posts as they advanced. They had crossed from Green Bay in Lake Michigan to the waters of the Wisconsin River, and had passed by that easy way into the Mississippi itself. That stout-hearted pioneer Père Marquette²had descended the Father of Waters past the Ohio to the outlet of the Arkansas (1673); and Robert La Salle³ had followed him and gone all the long way to the spreading mouths of the vast river and the gates of the Gulf (1682), not by way of the Wisconsin, but by crossing from the southern end of Lake Michigan to the stream of the Illinois, and passing by that way to the Mississippi.

6

COMMON UNDERTAKINGS

And so the lakes and the western rivers and the Mis sissippi itself saw the French; and French posts sprang up upon their shores to mark the sovereignty of the



Mamplain -

SAMUEL DE CHAMPLAIN

King of France. Frenchmen easily enough learned the ways of the wilderness and became the familiars of the Indians in their camps and wigwams; and they showed themselves of every kind,—some rough and

A HISTORY OF THE AMERICAN PEOPLE

lawless rovers, only too glad to throw off the restraints of the orderly life to which they had been bred and live as they pleased in the deep, secluded forests, trading without license, seeking adventure, finding a way for the civilization which was to follow them, but themselves anxious to escape it; others regular traders, who kept their hold upon the settlements behind them and submitted when they were obliged to official exactions at Montreal; some intrepid priests, who preached salvation and the dominion of France among the dusky tribes, and lived or died with a like fortitude and devotion. never willingly quitting their sacred task or letting go their hold upon the hearts of the savage men they had come to enlighten and subdue; some hardy captains with little companies of drilled men-at-arms from the fields of France:—at the front indomitable explorers, far in the rear timid farmers clearing spaces in the silent woodland for their scanty crops, and little towns slowly growing within their walls where the river broadened to the sea.

This stealthy power which crept so steadily southward and westward at the back of the English settlements upon the coast was held at arm's-length throughout that quiet age of beginnings, not by the English, but by a power within the forests, the power of the great confederated Iroquois tribes, who made good their mastery between the Hudson and the lakes: the Senecas, Cayugas, Onondagas, Oneidas, and Mohawks. They were stronger, fiercer, more constant and indomitable, more capable every way, than the tribes amidst whom the French moved; and Champlain¹ had unwittingly made them the enemies of the French forever. Long, long ago, in the year 1609, which white men had for-

¹ See page 184.

gotten, he had done what the Iroquois never forgot or forgave. He had come with their sworn foes, the Algonquins, to the shores of that lake by the sources of the Hudson which the palefaces ever afterwards called by his name, and had there used the dread fire-arms of the white men, of which they had never heard before. to work the utter ruin of the Mohawks in battle. They were always and everywhere ready after that fatal day to be any man's ally, whether Dutch or English, against the hated French; and the French found it necessary to keep at the back of the broad forests which stretched from the eastern Lakes to the Hudson and the Delaware. the wide empire of these dusky foes, astute, implacable. They skirted the domains of the Iroquois when they were prudent, and passed inland by the lakes and the valley of the Mississippi.

But, though they kept their distance, they advanced their power. The colonists in New England had been uneasy because of their unwelcome neighborhood from the first. Once and again there had been actual collisions and a petty warfare. But until William of Orange made England a party to the great war of the Protestant powers against Louis XIV. few men had seen what the struggle between French and English held in store for America. The English colonies had grown back not a little way from the sea, steadily pushed farther and farther into the thick-set forests which lay upon the broad valleys and rising slopes of the interior by mere increase of people and drift of enterprise. Before the seventeenth century was out adventurous English traders had crossed the Alleghenies, had launched their canoes upon the waters of the Ohio, and were fixing their huts here and there within the vast wilderness as men do

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who mean to stay. Colonel Dongan, the Duke's governor in New York (1683), like many another officer whose duties made him alert to watch the humors and keen the friendship of the Iroquois, the masters of the northern border, had been quick to see how "inconvenient to the English" it was to have French settlements "running all along from our lakes by the back of Virginia and Carolina to the Bay of Mexico." There was keen rivalry in trade, and had been these many years, between the men of the English and Dutch colonies and the men of the French for the profitable trade in furs which had its heart at the north; and it was already possible for those who knew the forest commerce to reason right shrewdly of the future, knowing, as they did, that the English gave better goods and dealt more fairly for the furs than the French, and that many of the very Frenchmen who ranged the forests in search of gain themselves preferred to send what they had to Albany for sale. But, except for a few lonely villages in far-away Maine, there was nowhere any close contact between French and English in America. Few, except traders and thoughtful governors and border villagers, who feared the tribes whom the French incited to attack and massacre, knew what France did or was planning.

King William's War (1689–1697), with its eight years of conscious peril, set new thoughts astir. It made America part of the stage upon which the great European conflict between French and English was to be fought out; and immediately a sort of continental air began to blow through colonial affairs. Colonial interests began to seem less local, more like interests held in common, and the colonies began to think of themselves as part of an empire. They had no great part in the war, it

is true. Hale Sir William Phips, that frank seaman adventurer, led an expedition against Acadia in 1690, took Port Royal, and stripped the province of all that could be brought away; but that had hardly had the dignity of formal war. He had chiefly relished the private gain got out of it as a pleasant reminder of that day of fortune when he had found the Spanish treasureship sunk upon a reef in far Hispaniola. His second expedition, made the same year against Quebec, no doubt smacked more of the regular business, for he undertook it as an accredited officer of the crown: but when it failed it is likely he thought more of the private moneys subscribed and lost upon it than of the defeat of the royal arms. There was here the irritation, rather than the zest, of great matters, and the colonial leaders were not becoming European statesmen of a sudden. Their local affairs were still of more concern to them than the policies of European courts. Nevertheless the war made a beginning of common undertakings. The colonies were a little drawn together, a little put in mind of matters larger than their own.

New York felt herself no less concerned than Massachusetts and Maine in the contest with the French, with its inevitable accompaniment of trouble with the Indians; and Jacob Leisler, plebeian and self-constituted governor though he was, had made bold to take the initiative in forming plans for the war.¹ Count Louis de Frontenac had been made governor of New France the very year William established himself as king in England (1689), and had come instructed, as every Englishman in America presently heard rumor say, to attack the English settlements at their very heart,—at New York itself. It was this rumor that had made Leisler hasten

to seize the government in King William's name, seeing King James's governor hesitate, and hearing it cried in the streets that the French were in the very Bay. He had thought it not impossible that James's officers might prove traitors and friends of King Louis in that last moment of their power. And then, when the government was in his hands, this people's governor called a



AN EARLY VIEW OF QUEBEC

conference of the colonies to determine what should be done for the common defence. Massachusetts, Plymouth, and Connecticut responded, and sent agents to the conference (1690), the first of its kind since America was settled. It was agreed to attempt the conquest of New France. Sir William Phips should lead an expedition by sea against Quebec; and another force should go by land out of Connecticut and New York

to attack Montreal, the only other stronghold, taking their Iroquois allies with them. But the land expedition was every way unfortunate, and got no farther than Lake Champlain. Frontenac was able to devote all his strength to the defence of Quebec; and Sir William Phips came back whipped and empty-handed. The first effort at a common undertaking had utterly miscarried

But that was not the end of the war. Its fires burned hot in the forests. Frontenac prosecuted the ugly business to the end as he had begun it. He had begun. not by sending a fleet to New York, for he had none to send, but by sending his Indian allies to a sudden attack and savage massacre at Schenectady, where sixty persons, men and women, old and voung, saw swift and fearful death (1689); and year by year the same hideous acts of barbarous war were repeated, -not always upon the far-away border, but sometimes at the very heart of the teeming colony.—once (1697) at Haverhill, not thirty-five miles out of Boston itself. Such a war was not likely to be forgot in the northern colonies, at any rate, and in New York. Its memories were bitten into the hearts of the colonists there as with the searings of a hot iron; and they knew that the French must be overcome before there could be any lasting peace, or room enough made for English growth in the forests.

They would rather have turned their thoughts to other things. There were home matters of deep moment which they were uneasy to settle. But these larger matters, of England's place and power in the world, dominated them whether they would or no. King William's War was but the forerunner of many more, of the same meaning and portent. Wars vexed and dis-

1 See page 220,.



COURIER DU BOIS, XVII. CENTURY

ciplined them for half a century, and their separate interests had often to stand neglected for years together in order that their common interests and the interests of English empire in America might be guarded.

And vet those who were thoughtful did not lose sight of the great, though subtle, gain which came with the vexing losses of war, to offset them. They had not failed to notice and to take to heart what had happened in England when William and Mary were brought to the throne. They were none the less Englishmen for being out of England, and what Parliament did for English liberty deeply concerned them. Par-

liament, as all the world knew, had done a great deal during those critical days in which it had consummated the "glorious revolution" by which the Stuarts were once

for all put from the seat of sovereignty. It had reasserted the ancient rights named in Magna Charta; it had done away with the King's arrogated right to tax; it had destroyed his alleged right to set laws aside, or alter them in any way; it had reduced him from being master and had made him a constitutional king, subject to his people's will, spoken through their legal representatives in Parliament. The new King, too, had shown himself willing to extend these principles to America. In the charters which he granted or renewed, and in the instructions which he gave to the governors whom he commissioned, he did not begrudge an explicit acknowledgment of the right of the colonies to control their own taxation and the expenditures of their own colonial establishments.

War embarrassed trade. It made hostile territory of the French West Indies, whence New England skippers fetched molasses for the makers of rum at home: and that was no small matter, for the shrewd New England traders were already beginning to learn how much rum would pay for, whether among the Indians of the forest country, among the savages of the African slave coast, or among their own neighbors at home, where all deemed strong drink a capital solace and defence against the asperities of a hard life. But it needed only a little circumspection, it turned out, to keep even that trade, notwithstanding the thing was a trifle difficult and hazardous. There was little cause for men who kept their wits about them to fear the law on the long, unfrequented coasts of the New World; and there was trade with the French without scruple whether war held or ceased. Buccaneers and pirates abounded in the southern seas, and legitimate traders knew as

well as they did how confiscation and capture were to be avoided.

The main lines of trade ran, after all, straight to the mother country, and were protected when there was need by English fleets. Both the laws of Parliament and their own interest bound the trade of the colonies to England. The Navigation Act of 1660, in force now these forty years, forbade all trade with



AN ENGLISH FLEET IN 1732

the colonies except in English bottoms; forbade also the shipment of their tobacco and wool anywhither but to England itself; and an act of 1663 forbade the importation of anything at all except out of England, which, it was then once for all determined, must be the *entrepôt* and place of staple for all foreign trade. It was determined that, if there were to be middlemen's profits, the middlemen should be English, and that the carrying trade of England and her colonies should be English, not Dutch. It was the Dutch against whom the acts were aimed. Dutch ships cost less in the building than ships built in England; the Dutch mer-

chantmen could afford to charge lower rates of freight than English skippers; and the statesmen of King Charles, deeming Holland their chief competitor upon the seas and in the markets of the world, meant to cut the rivalry short by statute, so far as the English realm was concerned.

Fortunately the interests of the colonists themselves wore easily enough the harness of the acts. For a while it went very hard in Virginia, it is true, to pay English freight rates on every shipment of tobacco, the colony's chief staple, and to sell only through English middlemen, to the exclusion of the accommodating Dutch and all competition. Trade touched nothing greater than the tobacco crop. Virginia supplied in that alone a full half of all the exports of the colonies. Her planters sharply resented "that severe act of Parliament which excludes us from having any commerce with any nation in Europe but our own"; for it seemed to put upon them a special burden. "We cannot add to our plantation any commodity that grows out of it, as olive trees, cotton, or vines," complained Sir William Berkelev very bluntly to the government in 1671. "Besides this, we cannot procure any skilful men for one now hopeful commodity, silk; for it is not lawful for us to carry a pipe stave or a barrel of corn to any place in Europe out of the King's dominions. If this were for his Majesty's service or the good of his subjects, we should not repine, whatever our sufferings are for it: but on my soul, it is the contrary for both." But the thing was eased for them at last when they began to see how their interest really lay. They had almost a monopoly of the English market, for Spanish tobacco was kept out by high duties, the planting of tobacco in

England, begun on no mean scale in the west midland counties in the days of the Protectorate, was prohibited by law, and a rebate of duties on all tobacco re-exported to the continent quickened the trade with the northern countries of Europe, the chief market in any case for the Virginian leaf. Grumbling and evasion disappeared in good time, and Virginia accommodated herself with reasonable grace to what was, after all, no ruinous or unprofitable arrangement.¹

New England, where traders most abounded, found little in the acts that she need complain of or seek to escape from. No New England commodity had its route and market prescribed as Virginian tobacco had; New England ships were "English" bottoms no less than ships built in England itself; they could be built as cheaply as the Dutch, and the long coast of the continent was clear for their skippers. If laws grew inconvenient, there were unwatched harbors enough in which to lade and unlade without clearance papers. English capital quickened trade as well as supplied shipping for the ocean carriage, and the King's navy made coast and sea safe. If it was irritating to be tied to the leading-strings of statutes, it was at least an agreeable thing that they should usually pull in the direction merchants would in any case have taken. Though all products of foreign countries had to be brought through the English markets and the hands of English middlemen, the duties charged upon them upon their entrance into England were remitted upon their reshipment to America, and they were often to be had more cheaply in the colonies than in London.

In 1699, when the war was over, Parliament laid a new restriction upon the colonies, forbidding them to

¹ See page 228.

manufacture their own wool for export, even for export from colony to colony. Good housewives were not to be prevented from weaving their own wool into cloth for the use of their own households; village weavers were not to be forbidden their neighborhood trade; but the woollen weavers of England supplied more than half of all the exports to the colonies, and had no mind to let woollen manufacture spring up in America if Parliament could be induced to prohibit it. It made



MOALE'S SKETCH OF BALTIMORE, MARYLAND, IN 1752

no great practical difference to the colonies, though it bred a bitter thought here and there. Manufactures were not likely to spring up in America. "No man who can have a piece of land of his own, sufficient by his labor to subsist his family in plenty," said Mr. Franklin long afterwards, "is poor enough to be a manufacturer and work for a master. Hence, while there is land enough in America for our people, there can be no manufactures to any amount or value." But the woollen manufacturers in England meant to take no chances in the matter; and the colonists did no more

than grumble upon occasion at the restraints of a law which they had no serious thought of breaking.

It was not breaches of the Acts of Navigation and the acts concerning woollen manufacture that the ministers found it necessary to turn their heed to when the war ended, but, rather, the open piracies of the southern seas. By the treaty of Ryswick, which brought peace (1697). France, England, Holland, and Spain, the high contracting parties, solemnly bound themselves to make common cause against buccaneering. Spain and England had been mutually bound since 1670 to abolish it. Buccaneering abounded most on the coasts of America. The lawless business had begun long ago. Spain had provoked it. She had taken possession of all Central and South America and of the islands of the West Indies, and had bidden all other nations stand off and touch nothing, while her fleets every year for generations together came home heavy with treasure. She had denied them the right of trade: she had forbidden their seamen so much as to get stores for their own use anywhere within the waters of Spanish America. She treated every ship as an intruder which she found in the southern seas. and the penalties she inflicted for intrusion upon her guarded coasts went the length of instant drowning or hangings at the yard-arm. It was a day when there was no law at sea. Every prudent man supplied his ship with arms, and was his own escort; and since Spain was the common bully, she became the common enemy. English and French and Dutch seamen were not likely very long to suffer themselves to be refused what they needed at her ports; and after getting what they needed, they went on to take whatever they wanted. They

were intruders, anyway, for whatever purpose they came, and they might as well, as a witty Frenchman among them said, "repay themselves beforehand" for the losses they would suffer should Spanish cruisers find and take them.

The spirit of adventure and of gain grew on them mightily. At first they contented themselves with an illicit trade at the unguarded ports of quiet, half-deserted islands like Hispaniola, where they could get hides and tallow, smoked beef and salted pork, in exchange for goods smuggled in from Europe. But they did not long stop at that. The exciting risks and notable profits of the business made it grow like a story of adventure. The ranks of the lawless traders filled more and more with every sort of reckless adventurer and every sort of unquiet spirit who found the ordinary world stale and longed for a change of luck, as well as with hosts of common thieves and natural outlaws. Such men, finding themselves inevitably consorting, felt their contradeship, helped one another when they could, and made a common cause of robbing Spain, calling themselves "Brethren of the Coast." They took possession, as their numbers increased, of the little twin islands of St. Christopher and Nevis for rendezvous and headquarters, and fortified distant Tortuga for a stronghold; and their power grew apace through all the seventeenth century, until no Spanish ship was safe on the seas though she carried the flag of an admiral, and great towns had either to buy them off or submit to be sacked at their pleasure. They mustered formidable fleets and counted their desperate seamen by the thousands.

They were most numerous, most powerful, most to

be feared at the very time the English colony was begun at Charleston (1670). All the English sea coast at the south, indeed, was theirs in a sense. They were regulars, not outlaws, when France or Holland or England was at war with Spain, for the great governments did not scruple to give them letters of marque when they needed their assistance at sea. English buc-



CHARLESTON, FROM THE HARBOR, 1742

caneers had helped Sir William Penn take Jamaica for Cromwell in 1655. And when there was no war, the silent, unwatched harbors of the long American sea coast were their favorite places of refuge and repair. New Providence, England's best anchorage and most convenient port of rendezvous in the Bahamas, became their chief place of welcome and recruiting. The coming of settlers did not disconcert them. It pleased them, rather. The settlers did not molest them,—had secret

reasons, as they knew, to be glad to see them. There were the English navigation laws, as well as the Spanish, to be evaded, and the goods they brought to the closed markets were very cheap and very welcome,-and no questions were asked. They were abundantly welcome, too, to the goods they bought. For thirty years their broad pieces of gold and their Spanish silver were almost the only currency the Carolinas could get hold of. Governors winked at their coming and going,even allowed them to sell their Spanish prizes in English ports. Charleston, too, and the open bays of Albemarle Sound were not more open to them than New York and Philadelphia and Providence, and even now and again the ports of Massachusetts. They got no small part of their recruits from among the lawless and shiftless men who came out of England or Virginia to the Carolinas for a new venture in a new country where law was young.

Richard Coote, the Earl of Bellomont, came out in 1698 to be Governor General of New York, New Jersey, Massachusetts, and New Hampshire, specially instructed to stamp out the piracy of the coasts; but he found it no light task. His predecessor in the government of New York, Benjamin Fletcher, had loved the Brethren of the Coast very dearly: they had made it to his interest to like them; and the merchants of New York, as of the other seaport towns, were noticeably slow to see the iniquity of the proscribed business. Lord Bellomont bitterly complained that the authorities of Rhode Island openly gave notorious pirates countenance and assistance. Mr. Edward Randolph, whose business it was to look after the King's revenues, declared in his anger that North Carolina was peopled by

nobody but smugglers, runaway servants, and pirates. South Carolina, fortunately, had seen the folly of harboring the outlaws by the time Lord Bellomont set about his suppression in the north. Not only had her population by that time been recruited and steadied by the coming in of increasing numbers of law-abiding and thrifty colonists to whom piracy was abhorrent, but she had begun also to produce great crops of rice for whose exportation she could hardly get ships enough, and had found that her whilom friends the freebooters did not scruple to intercept her cargoes on their way to the profitable markets of Holland, Germany, Sweden, Denmark, and Portugal. She presently began, therefore, to use a great pair of gallows, set up very conspicuously on "Execution Dock" at Charleston, for the diligent hanging of pirates. But the coast to the northward still showed them hospitality, and Lord Bellomont made little headway at New York, -except that he brought the notorious Captain Kidd to justice. William Kidd, a Scotsman, had made New York his home, and had won there the reputation of an honest and capable man and an excellent ship captain; but when he was given an armed vessel strongly manned, and the King's commission to destroy the pirates of the coast, the temptation of power was too great for him. He incontinently turned pirate himself, and it fell to Lord Bellomont to send him to England to be hanged.

The interval of peace during which English governors in America could give their thoughts to the suppression of piracy proved all too short. "Queen Anne's War" followed close upon the heels of King William's, and the French and Indians became once



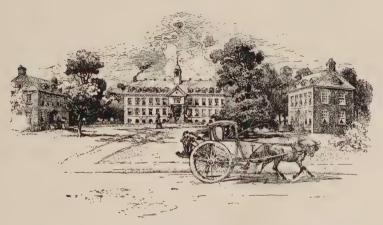
Bellomout

LORD BELLOMONT

again more threatening than the buccaneers. Nevertheless some important affairs of peace were settled before the storm of war broke again. For one thing. Mr. Penn was able once more to put in order the government of Pennsylvania. For two years (1692–1694) he had been deprived of his province, because, as every one knew, he had been on very cordial terms of friendship with James Stuart, the discredited King, and it was charged that he had taken part in intrigues against the new sovereign. But it was easy for him to prove. when the matter was dispassionately looked into, that he had done nothing dishonorable or disloval, and his province was restored to him. In 1699 he found time to return to America and reform in person the administration of the colony.1 Bitter jealousies and sharp factional differences had sprung up there while affairs were in confusion after the coming in of William and Mary, and the two years Mr. Penn spent in their correction (1609-1701) were none too long for the work he had to do. He did it, however, in his characteristic healing fashion, by granting privileges, more liberal and democratic than ever, in a new charter. One chief difficulty lay in the fact that the lower counties by the Delaware chafed because of their enforced union with the newer counties of Pennsylvania: and Mr. Penn consented to an arrangement by which they should within three years, if they still wished it, have a separate assembly of their own, and the right to act for themselves in all matters of local government. Self-government, indeed, was almost always his provident cure for discontent. He left both Pennsylvania and the Delaware counties free to choose their own courts,and Philadelphia free to select her own officers as an 1 See page 232. 26

independently incorporated city. Had he been able to give his colony governors as wise and temperate as himself, new troubles might have been avoided as successfully as old troubles had been healed.

While Mr. Penn lingered in America the rights of the proprietors of West Jersey, his own first province, passed finally to the crown. In 1702 all proprietary rights, alike in East and in West Jersey, were formally surrendered to the crown, and New Jersey, once more



WILLIAM AND MARY COLLEGE BEFORE THE FIRE, 1723

a single, undivided province, became directly subject to the King's government. For a generation, indeed, as it turned out, she was to have no separate governor of her own. A separate commission issued from the crown to the governor of New York to be also governor of New Jersey, upon each appointment in the greater province. But New Jersey kept her own government, nevertheless, and her own way of life. She suffered no merger into the larger province, her neighbor, whose governor happened to preside over her affairs.

Many things changed and many things gave promise of change in the colonies as Mr. Penn looked on. In 1700 Virginia had her population enriched by the coming of seven hundred French Huguenots, under the leadership of the Marquis de la Muce,—some of them Waldenses who had moved in exile through Switzerland. Alsace, the Low Countries, and England ere they found their final home of settlement in Virginia, -all of them refugees because of the terror that had been in France for all Protestants since the revocation of the Edict of Nantes (1685). That same year, 1700, Williamsburg, the new village capital of the "Old Dominion," grew very gay with company come in from all the river counties, from neighboring colonies, too, and even from far-off New England, to see the first class graduated from the infant college of William and Mary. The next year (1701) Connecticut, teeming more and more with a thrifty people with its own independent interests and resources, and finding Harvard College at Cambridge too far away for the convenience of those of her own youth who wished such training as ministers and professional men in general needed, set up a college of her own,—the college which half a generation later she called Yale, because of Mr. Elihu Yale's gift of eight hundred pounds in books and money.

Then King William died (1702,—Mary, his queen and consort, being dead these eight years), and Anne became queen. It was a year of climax in the public affairs of Europe. In 1701, Louis XIV. had put his grandson, Philip of Anjou, on the throne of Spain, in direct violation of his treaty obligations to England, and to the manifest upsetting of the balance of power in Europe, openly rejoicing that there were no longer

28.



marleborough

JOHN CHURCHILL, DUKE OF MARLBOROUGH

any Pyrenees, but only a single, undivided Bourbon power from Flanders to the Straits of Gibraltar; and had defied England, despite his promises made at Ryswick, by declaring James's son the rightful heir to the English throne. Instantly England, Holland, and

Austria drew together in grand alliance against the French aggression, and for eleven years Italy, Germany, and the Netherlands rang with the War of the Spanish Succession. The storm had already broken when Anne became queen.

England signalized the war by giving a great general to the world. It was the day of John Churchill, Duke of Marlborough, of whose genius soldiers gossiped to their neighbors and their children for half a century after the great struggle was over. The English took Gibraltar (1704). Prince Eugene of Savoy helped great Marlborough to the famous victory of Blenheim (1705),—and Virginians were not likely to forget that it was Colonel Parke, of Virginia, who took the news of that field to the Queen. Marlborough won at Ramillies and Eugene at Turin (1706). The two great captains triumphed together at Oudenarde (1708) and at Malplaquet (1709). The crowns of France and Spain were separated, and France was lightened of her overwhelming weight in the balance of power.

But for the colonies in America it was only "Queen Anne's War," full of anxiety, suffering, and disappointment,—massacres on the border, expeditions to the north blundered and mismanaged, money and lives spent with little to show for the sacrifice. The ministers at home had made no preparation in America for the renewal of hostilities. There had been warnings enough, and appeals of deep urgency, sent out of the colonies. Every observant man of affairs there saw what must come. But warnings and appeals had not been heeded. Lord Bellomont, that self-respecting gentleman and watchful governor, had told the ministers at home very plainly that there ought to be a line of



frontier posts at the north, with soldiers for colonists, and that simply to pursue the Indians once and again to the depths of the forests was as useless "as to pursue birds that are on the wing." An English prisoner in the hands of the French had sent word what he

heard they meant to do for the extension of their boundaries and their power. The deputy governor of Pennsylvania had proposed a colonial militia to be kept at the frontier. Certain private gentlemen of the northern settlements had begged for a common governor "of worth and honor," and for some system of common defence. Mr. Penn, looking on near at hand, had advised that the colonists be drawn together in intercourse and interest by a common coinage, a common rule of



FRENCH HUGUENOT CHURCH, NEW YORK, 1704

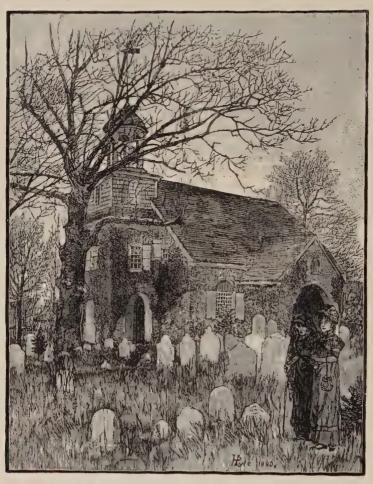
citizenship, a common system of justice, and by duties on foreign timber which would in some degree offset the burdens of the Navigation Acts,—as well as by common organization and action against the French

and against the pirates of the coast. But nothing had been done.

Even the little that had been gained in King William's War had now to be gained all over again. Sir William Phips had taken Port Royal very handily at the outset of that war (1690), and Acadia with it, and there had been no difficulty in holding the conquered province until the war ended; but the treaty of Ryswick had handed back to the French everything the English had taken, the statesmen of England hardly heeding America at all in the terms they agreed to,—and so a beginning was once more to be made.

The war began, as every one knew it must, with forays on the border: the Indians were the first afoot, and were more to be feared than the French. The first movement of the English was made at the south, where, before the first year (1702) of the war was out. the Carolinians struck at the power of Spain in Florida. They sent a little force against St. Augustine, and easily swept the town itself, but stood daunted before the walls of the castle, lacking cannon to reduce it, and came hastily away at sight of two Spanish ships standing into the harbor, leaving their very stores and ammunition behind them in their panic. They had saddled the colony with a debt of six thousand pounds and gained nothing. But they at least kept their own borders safe against the Indians and their own little capital at Charleston safe against reprisals by the Spaniards. The Apalachees, who served the Spaniards on the border, they swept from their forest country in 1703, and made their border quiet by fire and sword, driving hundreds of the tribesmen they did not kill to new seats beyond the Savannah. Three years went by before they were in their turn attacked by a force out of Florida. Upon a day in August, 1706, while the little capital lay stricken with yellow fever, a fleet of five French vessels appeared off the bar at their harbor mouth, bringing Spanish troops from Havana and St. Augustine. There was a quick rally to meet them. Colonial militia went to face their landing parties; gallant Colonel Rhett manned a little flotilla to check them on the water; and they were driven off, leaving two hundred and thirty prisoners and a captured ship behind them. The southern coast could take care of itself.

Nothing had been done meanwhile in the north. The first year of the war (1702) had seen Boston robbed



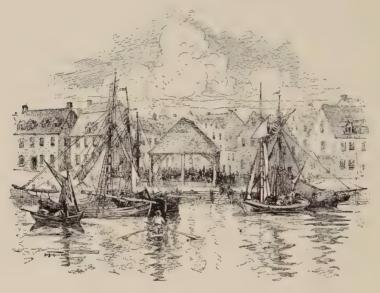
OLD SWEDES CHURCH, WILMINGTON, DELAWARE

of three hundred of her inhabitants by the scourge of small-pox, and New York stricken with a fatal fever brought out of the West Indies from which no man

could rally. That dismal year lingered for many a day in the memory of the men of the middle colonies as "the time of the great sickness." The northernmost border had been harried from Wells to Casco by the French Indians (1703); Deerfield, far away in the wilderness by the Connecticut, had been fearfully dealt with at dead of night, in the mid-winter of 1704, by a combined force of French and Indians: in 1705 the French in Acadia had brought temporary ruin upon the English trading posts in Newfoundland: and a French privateer had insolently come in open day into the Bay at New York, as if to show the English there how defenceless their great harbor was, with all the coast about it (1705). And vet there had been no counterstroke by the English,—except that Colonel Church. of Massachusetts, had spent the summer of 1704 in destroying as he could the smaller and less defended French and Indian villages upon the coasts which lay about the Penobscot and the Bay of Fundy. In 1707 a serious attempt was made to take Port Roval. Colonel March took a thousand men against the place, in twenty-three transports, convoyed by a man-of-war. and regularly laid siege to it; but lacked knowledge of the business he had undertaken and failed utterly.

Another three years went by before anything was accomplished; and the French filled them in, as before, with raids and massacres. Again Haverhill was surprised, sacked, and burned (1708). The English were driven from the Bahama islands. An expedition elaborately prepared in England to be sent against the French in America was countermanded (1709), because a sudden need arose to use it at home. Everything attempted seemed to miscarry as of course. And then

at last fortune turned a trifle kind. Colonel Francis Nicholson, governor of Virginia till 1705, had gone to England when he saw things stand hopelessly still in America, and, being a man steadfast and hard to put by, was at last able, in 1710, to obtain and bring assistance in person from over sea. He had recom



NEW YORK SLAVE MARKET ABOUT 1730

mended, while yet he was governor of Virginia, it was recalled, that the colonies be united under a single viceroy and defended by a standing army for which they should themselves be made to pay. The ministers at home had been too prudent to take that advice; but they listened now to his appeal for a force to be sent to America. By the 24th of September, 1710, he lay off Port Royal with a fleet of thirty-five sail, besides hospital and store ships, with four regiments of New

England militia aboard his transports and a detachment of marines. On the 1st of October he opened the fire of three batteries within a hundred yards of the little fort that guarded the place, and within twenty-four hours he had brought it to its capitulation, as Sir William Phips had done twenty years before. Acadia was once more a conquered province of England. Colonel Nicholson renamed its port Annapolis Royal, in honor of the Queen whom he served. The name of the province itself the English changed to Nova Scotia.

Two years more, and the war was practically over; but no victories had been added to that lonely achievement at Port Royal. Colonel Nicholson went from his triumph in Acadia back to England again, to solic-

it a yet stronger force to be taken against Quebec, and once more got what he wanted. In midsummer of 1711 Sir Hovenden Walker arrived at Boston with a great fleet of transports and men-of-war, bringing Colo-



BROAD STREET, NEW YORK, IN 1740

nel Hill and seven of Marlborough's veteran regiments to join the troops of New England in a decisive onset upon the stronghold of New France. Colonel Nicholson was to lead the colonial levies through the forests to Quebec; Sir Hovenden Walker was to ascend the St. Lawrence and strike from the river. But neither force reached Quebec. The admiral blundered in the

fogs which beset him at the mouth of the great stream, lost eight ships and almost a thousand men, and then put about in dismay and steered straightway for England, to have his flag-ship blow up under him at Spithead. Colonel Nicholson heard very promptly of the admiral's ignoble failure, and did not make his march. The next year, 1712, the merchants of Quebec subscribed a fund to complete the fortifications of their rock-built city, and even women volunteered to work upon them, that they might be finished ere the English came again. But the English did not come. That very summer brought a truce; and in March, 1713. the war ended with the peace of Utrecht. The treaty gave England Hudson's Bay, Acadia, Newfoundland. and the little island of St. Christopher alongside Nevis in the Lesser Antilles.

"Queen Anne's War" was over: but there was not yet settled peace in the south. While the war lasted North Carolina had had to master, in blood and terror, the fierce Iroquois tribe of the Tuscaroras, who mustered twelve hundred warriors in the forests which lay nearest the settlements. And when the war was over South Carolina had to conquer a whole confederacy of tribes whom the Spaniards had stirred up to attack her. The Tuscaroras had seemed friends through all the first years of the English settlement on their coast: but the steady, ominous advance of the English, encroaching mile by mile upon their hunting grounds, had at last maddened them to commit a sudden and awful treachery. In September, 1711, they fell with all their natural fury upon the nearer settlements, and for three days swept them with an almost continuous carnage. The next year the awful butchery was repeated. Both

¹ See page 248.

times the settlements found themselves too weak to make effective resistance; both times aid was sent from South Carolina, by forced marches through the long forests; and finally, in March, 1713, the month of the peace of Utrecht, an end was made. The Tuscaroras were attacked and overcome in their last stronghold. The remnant that was left migrated northward to join



OLD STATE HOUSE AT ANNAPOLIS, MARYLAND

their Iroquois kinsmen in New York,—and Carolina was quit of them forever.

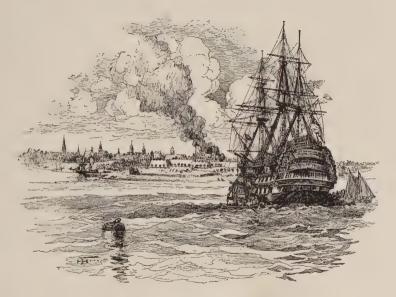
The strong tribes which held sway in the forests of South Carolina,—the Yamassees, Creeks, Catawbas, and Cherokees,—were no kinsmen of these alien Iroquois out of the north, and had willingly lent their aid to the English to destroy them. But, the war over, the Spaniards busied themselves to win these tribes also to a conspiracy against the English settlements, and

succeeded only too well. They joined in a great confederacy, and put their seven or eight thousand braves on the war-path to destroy the English. For almost a whole year (April, 1715, to February, 1716) they kept to their savage work unsubdued, until full four hundred whites had lost their lives at their hands. Then the final reckoning came for them also, and the shattered remnants of their tribes sought new homes for themselves as they could. The savages had all but accomplished their design against the settlements. The awful work of destroying them left the Carolinas upon the verge of utter exhaustion, drained of blood and money, almost without crops of food to subsist upon, quite without means to bear the heavy charges of government in a time of war and sore disorder. There were some among the disheartened settlers who thought of abandoning their homes there altogether and seeking a place where peace might be had at a less terrible cost. But there was peace at least, and the danger of absolute destruction had passed.

New York had had her own fright while the war lasted. A house blazed in the night (1712), and certain negroes who had gathered about it killed some of those who came to extinguish the flames. It was rumored that there had been a plot among the negroes to put the whole of the town to the torch; an investigation was made, amidst a general panic which rendered calm inquiry into such a matter impossible; and nineteen blacks were executed.

But in most of the colonies domestic affairs had gone quietly enough, the slow war disturbing them very little. Connecticut found leisure of thought enough, in 1708, to collect a synod at Saybrook and formulate

a carefully considered constitution for her churches, which her legislature the same year adopted. In 1707 New York witnessed a notable trial which established the freedom of dissenting pulpits. Lord Cornbury, the profligate governor of the province, tried to silence the Rev. Francis Mackemie, a Presbyterian minister, —pretending that the English laws of worship and



NEW YORK, FROM THE HARBOR, ABOUT 1725

doctrine were in force in New York; but a jury made short work of acquitting him. Massachusetts endured Joseph Dudley as governor throughout the war (1702–1715), checking him very pertinaciously at times when he needed the assistance of her General Court, but no longer refusing to live with reasonable patience under governors not of her own choosing.

Fortunately for the Carolinas, a very notable man

had become governor of Virginia ere the Tuscaroras took the war-path. There were tribes at the border. -Nottoways. Meherrins, and even a detached group of the Tuscaroras themselves,—who would have joined



Apotinood

in the savage conspiracy against the whites had not Colonel Spotswood been governor in Virginia and shown himself capable of holding them quiet with a steady hand of authority,—a word of conciliation and a hint of force. Alexander Spotswood was no ordinary man.

He added to a gentle breeding a manly bearing such as Virginians loved, and the administrative gifts which so many likable governors had lacked. His government was conducted with clear-eyed enterprise and

steady capacity. It added to his consequence that he had borne the Queen's commission in the forces of the great Marlborough on the field of Blenheim, and came to his duty in Virginia (1710) bearing a wound received on that famous field. His blood he took from Scotland, where the distinguished annals of his family might be read in many a public record; and a Scot-



BRENTON CHURCH, WHERE GOVERNOR SPOTSWOOD WORSHIPPED

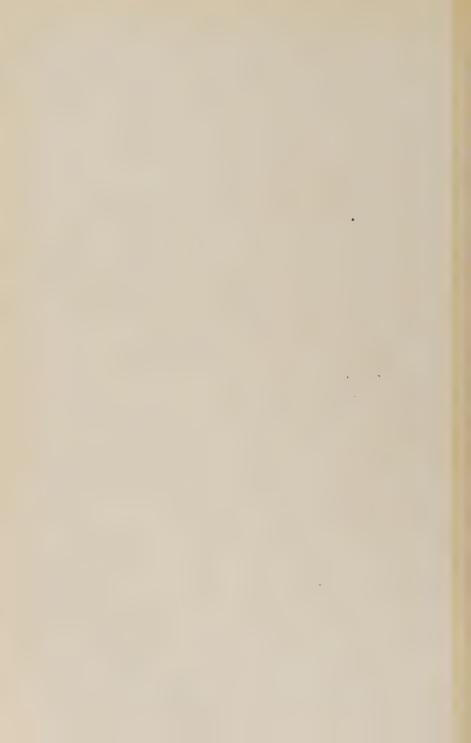
tish energy entered with him into the government of Virginia,—as well as a Scottish candor and directness in speech,—to the great irritation presently of James Blair, as aggressive a Scotsman as he, and more astute and masterful.

It was Colonel Spotswood who, in 1716, gathered a company of gentlemen about him for a long ride of discovery into the Alleghanies. They put their horses through the very heart of the long wilderness, and won their way despite all obstacles to a far summit of the Blue Ridge, whence, first among all their countrymen, they looked forth to the westward upon the vast slopes which fell away to the Ohio and the great basin of the Mississippi. Colonel Spotswood, standing there the leader of the little group, knew that it was this

way the English must come to make conquest of the continent. He urged his government at home to stretch a chain of defensive posts beyond the mountains from the lakes to the Mississippi, to keep the French from those inner valleys which awaited the coming of the white man; but he did not pause in the work he could do himself because the advice went unheeded. He kept the Indians still: he found excellent lands for a thrifty colony of Germans, and himself began the manufacture of iron in the colony, setting up the first iron furnace in America. The debts of the colony were most of them discharged, and a good trade in corn, lumber, and salt provisions sprang up with the West Indies. He rebuilt the college, recently destroyed by fire, and established a school for Indian children. He improved as he could the currency of the colony. His works were the quiet works of peace and development.—except for his vigorous suppression of the pirates of the coast,—and his administration might have outrun the year 1722, which saw him removed, had he been a touch less haughty, overbearing, unused to conciliating or pleasing those whose service he desired. He made enemies, and was at last ousted by them.

Some of the best qualities of the soldier and administrator came out in him in the long struggle to put the pirates down once and for all. Queen Anne's War had turned pirates into privateers and given pause to the stern business for a little, but it began again in desperate earnest when the war was over and peace concluded at Utrecht. It was officially reported by the secretary of Pennsylvania in 1717 that there were still fifteen hundred pirates on the coasts, making their headquarters at the Cape Fear and at New Providence









COLONEL RHETT AND THE PIRATE STEDE BONNET

in the Bahamas, and sweeping the sea as they dared from Brazil to Newfoundland. But the day of their reckoning was near at hand. South Carolina had cleared her own coasts for a little at the beginning of the century, but the robbers swarmed at her inlets again when the Indian massacres had weakened and distracted her, and the end of the war with France set many a roving privateersman free to return to piracy. The crisis and turning-point came in the year 1718. That year an English fleet crossed the sea, took New Providence, purged the Bahamas of piracy, and made henceforth a stronghold there for law and order. That same year Stede Bonnet, of Barbadoes, a man who had but the other day held a major's commission in her Maiesty's service, honored and of easy fortune. but now turned pirate, as if for pastime, was caught at the mouth of the Cape Fear by armed ships under redoubtable Colonel Rhett, who had driven the French out of Charleston harbor thirteen years ago, and was taken and hanged on Charleston dock, all his crew having gone before him to the ceremony. "This humour of going a-pyrating," it was said, "proceeded from a disorder in his mind, which had been but too visible in him some time before this wicked undertaking; and which is said to have been occasioned by some discomforts he found in a married state"; but the law saw nothing of that in what he had done. While Bonnet awaited his condemnation, Edward Thatch, the famous "Blackbeard," whom all the coast dreaded, went a like just way to death, trapped within Ocracoke Inlet by two stout craft sent against him out of Virginia by Colonel Spotswood. And so, step by step, the purging went on. South Carolina had as capable a governor



PORTRAIT OF THE PIRATE EDWARD THATCH

as Virginia in Robert Johnson; and the work done by these and like men upon the coasts, and by the English ships in the West Indies, presently wiped piracy out. By 1730 there was no longer anything for ships to fear on those coasts save the Navigation Acts and stress of sea weather.

It was a long coast, and it took a long time to carry law and order into every bay and inlet. But every vear brought increase of strength to the colonies, and with increase of strength power to rule their coasts as they chose. Queen Anne's War over, quiet peace descended upon the colonies for almost an entire generation (1712-1740). Except for a flurry of Indian warfare now and again upon the borders, or here and there some petty plot or sudden brawl, quiet reigned, and peaceful progress. Anne, the queen, died the year after peace was signed (1714); and the next year Louis XIV. followed her, the great king who had so profoundly stirred the politics of Europe. An old generation had passed away, and new men and new measures seemed now to change the whole face of affairs. The first George took the throne, a German, not an English prince, his heart in Hannover; and presently the affairs of England fell into the hands of Sir Robert Walpole. Sir Robert kept his power for twenty-one vears (1721-1742), and conducted the government with the shrewd, hard-headed sense and administrative capacity of a steady country squire,—as if governing were a sort of business, demanding, like other businesses, peace and an assured and equable order in affairs. It was a time of growth and recuperation, with much to do, but little to record.

The colonies, while it lasted, underwent in many





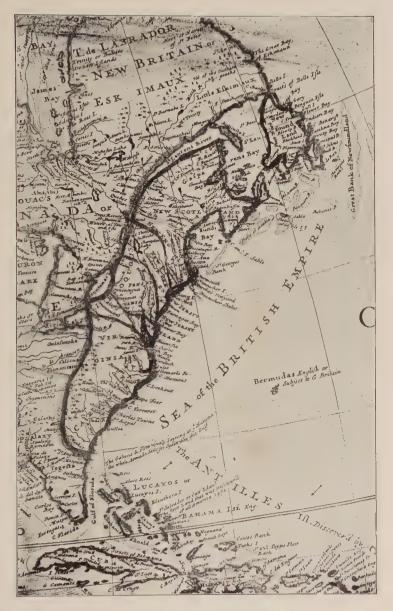
SIR ROBERT WALPOLE

things a slow transformation. Their population grew in numbers not only, but also in variety. By the end of the war there were probably close upon half a million people within their borders, counting slave with free; and with the return of peace there came a quickened increase. New England slowly lost its old ways of separate action as a self-constituted confederacy; and Massachusetts, with her new system of royal governors and a franchise broadened beyond the lines of her churches, by degrees lost her leadership. She was losing her old temper of Puritan thought. It was impossible to keep her population any longer of the single strain of which it had been made up at the first. New elements were steadily added; and new elements brought new ways of life and new beliefs. She was less and less governed by her pulpits; turned more and more to trade for sustenance; welcomed new-comers with less and less scrutiny of their ways of thinking; grew less suspicious of change, and more like her neighbors in her zest for progress.

Scots-Irish began to make their appearance in the colony, some of them going to New Hampshire, some remaining in Boston; and they were given a right willing welcome. The war had brought sore burdens of expense and debt upon the people, and these Scots-Irish knew the profitable craft of linen-making which the Boston people were glad to learn, and use to clothe themselves; for poverty, they declared, "is coming upon us as an armed man." These new immigrants brought with them also the potato, not before used in New England, and very acceptable as an addition to the colony's bill of fare. Small vessels now began to venture out from Cape Cod and Nantucket, moreover,

in pursuit of the whales that came to the northern coasts, and it was not long before that daring occupation began to give promise of wealth and of the building up of a great industry. Population began slowly to spread from the coasts into the forests which lay at the west between the Connecticut and the Hudson. In 1730 a Presbyterian church was opened in Boston, — almost as unmistakable a sign of change as King's Chapel itself had been with its service after the order of the Church of England.

The middle colonies and the far south saw greater changes than these. South Carolina seemed likely to become as various in her make-up as were New York and Pennsylvania with their mixture of races and creeds. Scots-Irish early settled within her borders also: she had already her full share of Huguenot blood; and there followed, as the new century advanced through the lengthened years of peace, companies of Swiss immigrants, and Germans from the Palatinate Charleston, however, seemed English enough, and showed a color of aristocracy in her life which no one could fail to note who visited her. Back from the point where the rivers met, where the fortifications stood. and the docks to which the ships came, there ran a fine road northward which Governor Archdale, that good Quaker, had twenty years ago declared more beautiful and pleasant than any prince in Europe could find to take the air upon when he drove abroad. From it on either side stretched noble avenues of live oaks. their strong lines softened by the long drapery of the gray moss,—avenues which led to the broad verandas of country residences standing in cool and shadowy groves of other stately trees. In summer the odor of



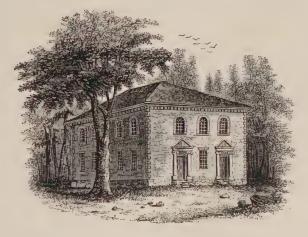
MAP OF THE COAST SETTLEMENTS, 1742

jasmine filled the air; and even in winter the winds were soft. It was here that the ruling men of the colony lived, the masters of the nearer plantations,—men bred and cultured after the manner of the Old World. The simpler people, who made the colony various with their differing bloods, lived inland, in the remoter parishes, or near other harbors above or below Charleston's port. It was on the nearer plantations round about Charleston that negro slaves most abounded; and there were more negroes by several thousand in the colony than white folk. Out of the 16,750 inhabitants of the colony in 1715, 10,500 were slaves. But the whites were numerous enough to give their governors a taste of their quality.

There were well-developed political parties in South Carolina, for all she was so small: and astute and able men to lead them, like Colonel Rhett, now soldier, now sailor, now statesman, and Mr. Nicholas Trott, now on one side and again on the other in the matter of selfgovernment as against the authority of the proprietors or the crown, but always in a position to make his influence felt. The province practically passed from the proprietors to the crown in 1719, because the people's party determined to be rid of their authority, and ousted their governor, exasperated that in their time of need. their homes burned about their ears by the savages. their coasts ravaged by freebooters, they should have been helped not a whit, but left to shift desperately for themselves. In 1729 the proprietors formally surrendered their rights. Colonel Francis Nicholson acted as provisional governor while the change was being effected (1719-1725), having been meantime governor of Acadia, which he had taken for the crown. In 1720

¹ See page 256.

he was knighted; and he seems to have acted as soberly in this post in Carolina as he had acted in Virginia. He was truculent and whimsical in the north; but in the south his temper seemed eased and his judgment steadied. The change of government in South Carolina was really an earnest of the fact that the people's representatives had won a just and reasonable



POHICK CHURCH, VIRGINIA, WHERE WASHINGTON WORSHIPPED

ascendency in the affairs of the colony; and Sir Francis did not seriously cross them, but served them rather, in the execution of their purposes.

Everywhere the crown desired the colonial assemblies to provide a permanent establishment for the governor, the judges, and the other officers who held the King's commission,—fixed salaries, and a recognized authority to carry out instructions; but everywhere the people's representatives persistently refused to grant either salaries or any additional authority which they

could not control in the interest of their own rights from session to session. They would vote salaries for only a short period, generally a year at a time; and they steadily denied the right of the crown to extend or vary the jurisdiction of the courts without their assent. Sometimes a governor like Mr. Clarke, of New York, long a resident in his colony and acquainted with its temper and its ways of thought, got what he wanted by making generous concessions in matters under his own control: and the judges, whatever their acknowledged jurisdiction, were likely to yield to the royal wishes with some servility: for they were appointed at the King's pleasure, and not for the term of their good behavior, as in England. But power turned, after all, upon what the people's legislature did or consented to do, and the colonists commonly spoke their minds with fearless freedom.

In New York the right to speak their minds had been tested and established in a case which every colony promptly learned of. In 1734 and 1735 one John Peter Ziegler, a printer, was brought to trial for the printing of various libellous attacks on the governor and the administration of the colony,—attacks which were declared to be highly "derogatory to the character of his Majesty's government," and to have a tendency "to raise seditions and tumults in the province"; but he was acquitted. The libel was admitted, but the jury deemed it the right of every one to say whatever he thought to be true of the colony's government; and men everywhere noted the verdict.

A second negro plot startled New York in 1741, showing itself, as before, in sudden incendiary fires. It was thought that the slaves had been incited to destroy

JOURNAL

OF THE

PROCEEDINGS

I N

The Detection of the Conspiracy

FORMED BY

Some White People, in Conjunction with Negro and other Slaves,

FOR

Burning the City of NEW-YORK in AMERICA,
And Murdering the Inhabitants.

Which Conspiracy was partly put in Execution, by Burning His Majesty's House in Fort George, within the said City, on Wednesday the Eighteenth of March, 1741. and setting Fire to several Dwelling and other Houses there, within a sew Days succeeding. And by another Attempt made in Prosecution of the same infernal Scheme, by putting Fire between two other Dwelling-Houses within the said City, on the Fisteenth Day of February, 1742; which was accidentally and timely discovered and extinguished.

CONTAINING,

- I. A NARRATIVE of the Trials, Condemnations, Executions, and Behaviour of the feveral Criminals, at the Gallows and Stake, with their Speeches and Confessions; with Notes, Observations and Reslections occasionally interspersed throughout the Whole.
- II. An Appendix, wherein is set forth some additional Evidence concerning the faid Conspiracy and Conspirators, which has come to Light since their Trials and Executions.
- III. Lists of the feveral Persons (Whites and Blacks) committed on Account of the Conspiracy; and of the several Criminals executed; and of those transported, with the Places whereto.

By the Recorder of the City of NEW-YORK.

Quid facient Domini, audent cum talia Fures? Virg. Ecl.

NEW-YORK:

Printed by James Parker, at the New Psinting-Office, 1744.

TITLE-PAGE OF THE PROCEEDINGS AGAINST THE NEGROES

the town; and there was an uneasy suspicion that these disturbing occurrences were in some way connected with the slave insurrections in the south. Uprisings of the slaves had recently occurred in the West Indies. South Carolina had suffered such an outbreak a little more than two years before. In 1738 armed insurgent negroes had begun there, in a quiet parish, the execution of a terrible plot of murder and burning which it had taken very prompt and summary action to check and defeat. Such risings were specially ominous where the slaves so outnumbered the whites; and it was known in South Carolina whence the uneasiness of the negroes came. At the south of the province lay the Spanish colonies in Florida. Negroes who could manage to run away from their masters and cross the southern border were made very welcome there: they were set free, and encouraged in every hostile purpose that promised to rob the English settlements of their ease and peace. Bands of Yamassees wandered there, too, eager to avenge themselves as they could for the woful defeat and expulsion they had suffered at the hands of the Carolinians. and ready to make common cause with the negroes. When bands of negroes, hundreds strong, began their sudden work of burning, plunder, and murder where the quiet Stono runs to the sea no one doubted whence the impulse came. And though a single rising was easily enough put down, who could be certain that that was the end of the ominous business? No wonder governors at Charleston interested themselves to increase the number of white settlers and make their power of self-defence sure.

Such things, however, serious as they were, did not check the steady growth of the colonies. It was not

yet questions of self-government or of the preservation of their peace that dominated their affairs; and only those who observed how far-away frontiers were being advanced and two great nations being brought together for a reckoning face to face saw what was the next, the very near, crisis in store for the English in America. Through all that time of peace a notable drama was in fact preparing. Slowly, but very surely, English and French were drawing nearer and nearer within the continent,—not only in the north, but throughout all the length of the great Mississippi. Step by step the French had descended the river from their posts on the lakes: and while peace reigned they had established posts at its mouth and begun to make their way northward from the Gulf. So long ago as 1600 they had built a stockade at Biloxi; in 1700 they had taken possession of Mobile Bay; by 1716 they had established posts at Toulouse (Alabama) and at Natchez. In 1718 they began to build at New Orleans. In 1719 they captured and destroyed the Spanish post at Pensacola. By 1722 there were five thousand Frenchmen by the lower stretches of the great river; and their trading boats were learning all the shallows and currents of the mighty waterway from end to end. Meantime, in the north, they advanced their power to Lake Champlain, and began the construction of a fort at Crown Point (1721). That same year, 1721, French and English built ominously near each other on Lake Ontario. the English at Oswego, the French at Niagara among the Senecas. In 1716, the very year Governor Spotswood rode through the western forests of Virginia to a summit of the Blue Ridge, the French had found a short way to the Ohio by following the Miami and the

Wabash down their widening streams. It was while they thus edged their way towards the eastern mountains and drew their routes closer and closer to their rivals on the coast that that adventurous, indomitable people, the Scots-Irish, came pouring of a sudden into



OSWEGO IN 1750

the English colonies, and very promptly made it their business to pass the mountains and take possession of the lands which lay beyond them, as if they would deliberately go to meet the French by the Ohio.

For several years after the first quarter of the new century had run out immigrants from the north of Ireland came crowding in, twelve thousand strong by the year. In 1729 quite five thousand of them entered

Pennsylvania alone: and they pressed without hesitation and as if by preference to the interior. From Pennsylvania they passed along the broad, inviting valleys southward into the western parts of Virginia. By 1730 a straggling movement of settlers had begun to show itself even upon the distant lands of Kentucky. Still farther south traders from the Carolinas went constantly back and forth between the Indian tribes of the country by the Mississippi and the English settlements at the coast. Nine thousand redskin warriors lay there in the forests. Some traded with the French at the river, some with the English at the coast. They might become foes or allies, might turn to the one side or the other, as passion or interest led them.

In 1739 the French at the north put an armed sloop on Champlain. The same year the English built a fortified post at Niagara. Everywhere the two peoples were converging, and were becoming more and more conscious of what their approach to one another meant. So long ago as 1720 orders had come from France bidding the French commanders on the St. Lawrence occupy the valley of the Ohio before the English should get a foothold there. The places where the rivals were to meet it was now easy to see, and every frontiersman saw them very plainly. The two races could not possess the continent together. They must first fight for the nearer waterways of the West, and after that for whatever lay next at hand.

It was no small matter, with threat of such things in the air, that the English chose that day of preparation for the planting of a new colony, and planted it in the south between Carolina and the Florida settlements, —a barrier and a menace both to French and Spaniard.

It was James Oglethorpe, 1 a soldier, who planned the new undertaking; and he planned it like a soldier, and vet like a man of heart and elevated purpose, too, for he was a philanthropist and a lover of every serviceable duty, as well as a soldier. He came of that good stock of country gentlemen which has in every generation helped so sturdily to carry forward the work of England, in the field, in Parliament, in administrative office. He had gone with a commission into the English army in the late war a mere lad of fourteen (1710); and, finding himself still unskilled in arms when England made peace at Utrecht, he had chosen to stay for six vears longer, a volunteer, with the forces of Prince Eugene in the East. At twenty-two he had come back to England (1718), to take upon himself the responsibilities which had fallen to him by reason of the death of his elder brothers; and in 1722 he had entered the House of Commons, eager as ever to learn his duty and do it. He kept always a sort of knightly quality. and the power to plan and hope and push forward that belongs to youth. He was a Tory, and believed that the Stuarts should have the throne from which they had been thrust before he was born; but that did not make him disloyal. He was an ardent reformer: but that did not make him visionary, for he was also trained in affairs. His clear-cut features, frank eve, erect and slender figure bespoke him every inch the highbred gentleman and the decisive man of action.

In Parliament he had been made one of a committee to inspect prisons; and he had been keenly touched by the miserable plight of the many honest men who, through mere misfortune, were there languishing in hopeless imprisonment for debt. He bethought him-

1 See page 252

self of the possibility of giving such men a new chance of life and the recovery of fortune in America; and the thought grew into a plan for a new colony. He knew how the southern coast lay vacant between



Charleston and the Spaniards at St. Augustine. There were good lands there, no doubt; and his soldier's eye showed him, by a mere glance at a map, how fine a point of vantage it might be made if fortified against the alien power in Florida. And so he made his plans. It should be a military colony, a colony of fortified

posts: and honest men who had fallen upon poverty or misfortune at home should have a chance, if they would work, to profit by the undertaking, though he should take them from debtors' prisons. Both King and Parliament listened very willingly to what he proposed. The King signed a charter, giving the undertaking into the hands of trustees, who were in effect to be proprietors (June, 1732); and Parliament voted ten thousand pounds as its subscription to the enterprise; while men of as liberal a spirit as Oglethorpe's associated themselves with him to carry the humane plan out, giving money, counsel, and service without so much as an expectation of gain to themselves, or any material return for their outlay. Men had ceased by that time to dream that colonization would make those rich who fathered it and paid its first bills. By the end of October, 1732, the first shipload of settlers was off for America. Oglethorpe himself at their head: and by February, 1733, they were already busy building their first settlement on Yamacraw Bluff, within the broad stream of the Savannah 1

The colony had in its charter been christened Georgia, in honor of the King, who had so cordially approved of its foundation; the settlement at Yamacraw, Oglethorpe called by the name of the river itself, Savannah. His colonists were no mere company of released debtors and shiftless ne'er-do-wells. Men had long ago learned the folly of that mistake, and Oglethorpe was too much a man of the world to repeat the failures of others. Every emigrant had been subjected to a thorough examination regarding his antecedents, his honesty, his character for energy and good behavior, and had been brought because he had been deemed fit.

1 See page 259.

Italians skilled in silk culture were introduced into the colony. Sober German Protestants came from Moravia and from Salzburg, by Tyrol, and were given their separate places of settlement,—as quiet, frugal, industrious, pious folk as the first pilgrims at Plymouth. Clansmen from the Scottish Highlands came, and were set at the extreme south, as an outpost to meet the Spaniard. Some of the Carolina settlers who would have liked themselves to have the Highlanders for neighbors tried to dissuade them from going to the spot selected for their settlement. They told them that the Span-

Ill give a Crown Starl if the provisions are got up here by sens Clock,

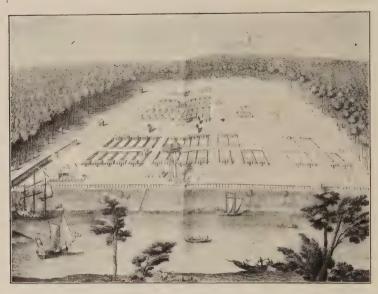
James Petersoffe

OGLETHORPE'S ORDER FOR SUPPLIES

iards were so near at hand that they could shoot them from the windows of the houses that stood within the fort. "Why, then, we shall beat them out of their fort, and shall have houses ready built to live in!" cried the men in kilts, very cheerily, and went on to their settlement.

Fortunately it was seven years before the war with Spain came which every one had known from the first to be inevitable; and by that time the little colony was ready enough. Georgia's territory stretched upon the coast from the Savannah to the Altamaha, and from the coast ran back, west and northwest, to the sources of those rivers; from their sources due westward "to

the South Seas." Savannah was thus planted at the very borders of South Carolina. New settlers were placed, as they came, some in Savannah, many by the upper reaches of the river. The Highlanders had their post of danger and honor upon the Altamaha; and before war came new settlers, additional arms



SAVANNAH IN 1754

and stores, and serviceable fortifications had been placed at St. Simon's Island at the mouth of the Altamaha. Every settlement was in some sort a fortified military post. The first settlers had been drilled in arms by sergeants of the Royal Guards in London every day between the time of their assembling and the time of their departure. Arms and ammunition were as abundant almost as agricultural tools and food stores in the cargoes carried out. Negro slavery



Hamilton ALEXANDER HAMILTON



was forbidden in the colony, because it was no small part of Oglethorpe's purpose in founding it to thrust a solid wedge of free settlers between Carolina and the country to the south, and close the border to fugitive slaves. Neither could any liquor be brought in. It was designed that the life of the settlements should be touched with something of the rigor of military discipline; and so long as Oglethorpe himself was at hand laws were respected and obeyed, rigid and unacceptable though they were; for he was a born ruler of men.

He had not chosen very wisely, however, when he brought Charles and John Wesley out as his spiritual advisers and the pastors of his colony. They were men as inapt at yielding and as strenuous at prosecuting their own way of action as he, and promoted diversity of opinion quite as successfully as piety. They stayed but three or four uneasy years in America, and then returned to do their great work of setting up a new dissenting church in England. George Whitefield followed them (1738) in their missionary labors, and for a little while preached acceptably enough in the quiet colony; but he, too, was very soon back in England again. The very year Oglethorpe brought Charles Wesley to Georgia (1734) a great wave of religious feeling swept over New England again, - not sober, self-contained, deep-currented, like the steady fervor of the old days, but passionate, full of deep excitement, agitated, too like a frenzy. Enthusiasts who saw it rise and run its course were wont to speak of it afterwards as "the Great Awakening," but the graver sort were deeply disturbed by it. It did not spend its force till quite fifteen years had come and gone. Mr. Whitefield returned to America in 1739,

67

to add to it the impulse of his impassioned preaching, and went once more to Georgia also. Again and again



John Westey

JOHN WESLEY

he came upon the same errand, stirring many a colony with his singular eloquence; but Georgia was busy with other things, and heeded him less than the rest.

When the inevitable war came with Spain, in 1739,



OGLETHORPE'S EXPEDITION AGAINST ST. AUGUSTINF

—inevitable because of trade rivalries in the West Indies and in South America, and because of political rivalry at the borders of Florida,—Oglethorpe was almost the first to strike. Admiral Vernon had been despatch-



Chite field GEORGE WHITEFIELD

ed in midsummer, 1739, before the declaration of war, to destroy the Spanish settlements and distress Spanish commerce in the West Indies; and had promptly taken Porto Bello in November, scarcely a month after war had been formally declared. Oglethorpe struck next, at St. Augustine. It was this he had looked forward

to in founding his colony. In May, 1740, he moved to the attack with a mixed army of redskins and provincial militia numbering a little more than two thousand men,—supported at sea by a little fleet of six vessels of war under Sir Yelverton Peyton. But there had been too much delay in getting the motley force together. The Spaniards had procured reinforcements from Havana; the English ships found it impracticable to get near enough to the Spanish works to use their guns with effect; Oglethorpe had no proper siege pieces; and the attack utterly failed. It had its effect, nevertheless. For two years the Spaniards held nervously off, carefully on the defensive; and when they did in their turn attack, Oglethorpe beat them handsomely off, and more than wiped out the disrepute of his miscarriage at St. Augustine. In June. 1742. there came to St. Simon's Island a Spanish fleet of fifty-one sail, nearly five thousand troops aboard, and Oglethorpe beat them off with six hundred and fifty men,-working his little forts like a master, and his single guard-schooner and few paltry armed sloops as if they were a navy. Such a deliverance, cried Mr. Whitefield, could not be paralleled save out of Old Testament history.

Meanwhile Vernon and Wentworth had met with overwhelming disaster at Cartagena. With a great fleet of ships of the line and a land force of nine thousand men, they had made their assault upon it in March, 1741; but because Wentworth bungled everything he did with his troops the attack miserably failed. He was caught by the deadly wet season of the tropics; disease reduced his army to a wretched handful; and thousands of lives were thrown away in his dismal

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disgrace. Both New England and Virginia had sent troops to take their part with that doomed army; and the colonies knew, in great bitterness, how few came home again. The war had its issues for them, they knew, as well as for the governments across the water. It meant one more reckoning with the Spaniard and



THE ACTION AT CARTAGENA

the Frenchman, their rivals for the mastery of America. And in 1745 New England had a triumph of her own, more gratifying even than Oglethorpe's astonishing achievement at St. Simon's Island.

Only for a few months had England dealt with Spain alone upon a private quarrel. In 1740 the male line of the great Austrian house of Hapsburg had run out: Maria Theresa took the throne; rival claimants disputed

her right to the succession; and all Europe was presently plunged into the "War of the Austrian Succession" (1740-1748). "King George's War" they called it in the colonies, when France and England became embroiled; but the name did not make it doubtful what interests, or what ambitions, were involved; and New England struck her own blow at the power of France. A force of about four thousand men, levied in Massachusetts. New Hampshire, and Connecticut, moved in the spring of 1745 against the French port of Louisbourg on Cape Breton Island. Commodore Warren. the English naval commander in the West Indies, furnished ships for their convoy, and himself supported them in the siege; and by the 16th of June the place had been taken. For twenty-five years the French had been slowly building its fortifications, covering with them an area two and a half miles in circumference. They had made them, they supposed, impregnable. But the English had struck quickly, without warning, and with a skill and ardor which made them wellnigh irresistible; and their triumph was complete. Provincial troops had taken the most formidable fortress in America. William Pepperrell, the gallant gentleman who had led the New Englanders, got a baronetcy for his victory. Warren was made an admiral.

The next year an attack was planned against the French at Crown Point on Champlain, but nothing came of it. The war almost stood still thenceforth, so far as the colonies were concerned, till peace was signed at Aix-la-Chapelle in October, 1748. That peace brought great chagrin to New England. By its terms Louisbourg and all conquests everywhere were restored. The whole work was to do over again, as after King

William's War and the restoration of Port Royal, which Sir William Phips had been at such pains to take. The



Elym Jopperrell

WILLIAM PEPPERRELL

peace stood, however, little longer than that which had separated King William's War from the War of the Spanish Succession. Seven years, and France

and England had once more grappled,—this time for a final settlement. All the seven years through the coming on of war was plainly to be seen by those who knew where to look for the signs of the times. The French and English in that brief interval were not merely to approach; they were to meet in the western valleys, and the first spark of a war that was to embroil all Europe was presently to flash out in the still forests beyond the far Alleghanies.

It was on the borders of Virginia this time that the first act of the drama was to be cast. The French determined both to shorten and to close their lines of occupation and defence from the St. Lawrence to the Mississippi and the Gulf. They knew that they could do this only by taking possession of the valley of the Ohio; and the plan was no sooner formed than it was attempted. And vet to do this was to come closer than ever to the English and to act under their very eyes. A few German families had made their way far to the westward in Pennsylvania, and hundreds of the indomitable Scots-Irish had been crowding in there for now quite twenty years, passing on, many of them, to the beautiful valley of the Shenandoah below, and pressing everywhere closer and closer to the passes which led down but a little way beyond into the valleys of the Alleghany, the Monongahela, and the Ohio. These men, at the frontiers of Pennsylvania and Virginia. were sure to observe what was going forward in front of them, and to understand what they saw. Traders crossed those mountains now by the score from the English settlements.—three hundred in a year, it was said. They knew the waters that ran to the Ohio quite as well as any Frenchman did. Their canoes had followed the turnings of the broad Ohio itself, and had found it a highway to the spreading Mississippi, where French boats floated slowly down from the country of the Illinois, carrying their cargoes of meat, grain, tobacco, tallow, hides, lead, and oil to the settlements on the Gulf. In 1748, the year of the last peace, certain leading gentlemen in Virginia had organized an Ohio Land Company,—among the rest Mr. Augustus Washington, who had served with Vernon and Wentworth at Cartagena and had lost his health in the fatal service. He had named his estate by the Potomac. his home of retirement, Mount Vernon, as his tribute of admiration to the gallant sailor he had learned to love during those fiery days in the South. In 1750 the English government had granted to the Company six hundred thousand acres of land on the coveted river. Virginian officials themselves had not scrupled meanwhile also to issue grants and titles to land beyond the mountains. The English claim to the Ohio country was unhesitating and comprehensive.

The English had seized French traders there as unlicensed intruders, and the French in their turn had seized and expelled Englishmen who trafficked there. French and English matched their wits very shrewdly to get and keep the too fickle friendship of the Indians, and so make sure of their trade and their peace with them; and the Indians got what they could from them both. It was a sharp game for a great advantage, and the governments of the two peoples could not long refrain from taking a hand in it.

The French authorities, it turned out, were, as usual, the first to act. In 1752 the Marquis Duquesne became governor of Canada, an energetic soldier in his

prime; and it was he who took the first decisive step. In the spring of 1753 he despatched a force to Presque Isle, on the southern shore of Lake Erie, built a log fort there, and thence cut a portage for his boats southward a little way through the forest to a creek (French Creek the English called it afterwards) whose waters, when at flood, would carry his boats to the Alleghany, and by that open stream to the Ohio. It was the short and straight way from the St. Lawrence to the Mississippi and the Gulf. At the creek's head he placed another log fort (Le Bœuf), and upon the Alleghany a rude outpost.

The same year that saw the Marquis Duquesne made governor of Canada saw Robert Dinwiddie come out as governor of Virginia, and no one was likelier than he to mark and comprehend the situation on the border. Mr. Dinwiddie had been bred in a counting house, for he was the son of a well-to-do merchant of Glasgow; but business had long since become for him a matter of government. He had gone in his prime to be collector of customs in Bermuda; and after serving in that post for eleven years he had been made surveyor general of customs in the southern ports of America. -a post in which he served most acceptably for another ten years. For twenty years he had shown singular zeal and capacity in difficult, and, for many men, demoralizing, matters of administration. He had lived in Virginia when surveyor general of customs. During the two years which immediately preceded his appointment to the governorship of the Old Dominion he had engaged in business on his own account in London, and had become by purchase one of the twenty stockholders of the Ohio Land Company. He came to

New-York Weekly JOURNAL

Containing the freshest Advices, Foreign, and Domestick.

MUNDAY November 12 1733.

Mr. Zenger.

Neert the following in your next, and you'll oblige your Friend,

Mira temporum felicitat ubi fentiri qua velis, & qua fentias dicere licit. Tacit.

AHE Liberty of the Press is a Subject of the greatest Importance, and in which every Individual is as much concern'd as is in any other Part of Liberty: crefore it will not be improper to mmunicate to the Publick the Senti-Zients of a late excellent Writer upon this Point. fuch is the Elegance and Perspicuity of his Writings, fuch the inimitable Force of his Reafoning, that it will be difficult to fay any Thing new that he has not faid, or not to fay that much worfe which he has aid

There are two Sorts of Monarchies, an abfolute and a limited one. In the first, the Liberty of the Press can never be maintained, it is inconsistent with it; for what absolute Monarch would suffer any Subject to animadvert on his Actions, when it is in his Power to declare the Crime, and to nominate the Punishment? This would make it very dangerous to exercise such a Liberty. Besides the Object against which those Pens must be directed, is

their Sovereign, the fole supream Magiftrate; for there being no Law in those Monarchies, but the Will of the Prince, it makes it necessary for his Ministers to consult his Pleasure, before any Thing can be undertaken: He is therefore properly chargeable with the Grievances of his Subjects, and what the Minister there acts being in Obedience to the Prince, he ought not to incur the Hatred of the People; for it would be hard to impute that to him for a Crime, which is the Fruit of his Allegiance, and for refusing which he might incur the Penalties of Treafon. Besides in an absolute Monarchy, the Will of the Prince being the Law a Liberty of the Press to complain of Grievances would be complaining against the Law, and the Constitution, to which they have submitted, or have been obliged to submit; and therefore, in one Sense, may be said to deserve Punishment, So that under an absolute Monarchy, I fay, fuch a Liberty is inconfistent with the Constitution. having no proper Subject in Politics. on which it might be exercis'd, and if exercis'd would incur a certain Penalty

But in a limited Monarchy, as England is, our Laws are known, fixed, and established. They are the streight Rule and sure Guide to direct the King, the Ministers, and other his Subjects; And therefore an Offence against the Laws is such an Offence against the Constitution as ought to receive a proper adequate Punishment; the severa.

Constil

his new office, therefore, acquainted in more than one way with the leading men of the colony,—especially with Mr. Augustine Washington, now the Ohio Company's president, and the little group of influential gentlemen,—Lees, Fairfaxes, and the rest,—often to be found gathered at Mount Vernon. He came, therefore, with his eyes on the western lands where the company and his government were alike bound to see to it that the French were checked.

He saw Duquesne's movement, consequently, at its very outset, warned the government at home, and was promptly instructed to require the French "peaceably to depart," and if they would not go for the warning. "to drive them off by force of arms." He chose as his messenger to carry the summons Mr. George Washington, half-brother to Mr. Augustine Washington, of Mount Vernon. George Washington was only a lad of twentyone: but he had hardened already to the work of a man. He had received no schooling in England such as Augustine had had, but had gone from the simple schools and tutors of the Virginian country-side to serve as a surveyor for Lord Fairfax in the rough country of the Shenandoah, -whither Fairfax, heir of the old Culpeper grants, had come to seek a life away from courts in the picturesque wilderness of America. Augustine Washington died the very year Mr. Dinwiddie became governor, though he was but thirtyfour: and he had left George, lad though he was, to administer his estate and serve in his stead as commander of the militia of eleven counties. Governor Dinwiddie knew whom he was choosing when he sent this drilled and experienced youngster, already a frontiersman, to bid the French leave the Ohio.

The message was carried in the dead of winter to the grave and courteous soldier who commanded at



A Viscositive

ROBERT DINWIDDIE

Fort Le Bœuf; and Washington tried the endurance even of the veteran frontiersman who accompanied him by the forced marches he made thither and back again through the dense and frosted woods, across





frozen streams, and through the pathless, storm-beaten tangles of deep forests, where there was hardly so much as the track of a bison for their horses to walk in. He reported that the French had received him very graciously; but had claimed the Ohio as their own, had made no pretence that they would abandon it because the English bade them, and clearly meant to establish themselves where they were. Juniors among their officers had told him so very plainly as he sat with them after dinner in a house which they had seized from an English trader.

He was back at Williamsburg with his report by the middle of January, 1754; and the next month a small body of frontiersmen was hurried forward to make a clearing at the forks of the Ohio and begin the construction of fortifications there ere spring came, and the French. The French came, nevertheless, all too soon, By the 17th of April their canoes swarmed there, bearing five hundred men and field ordnance, and the forty Englishmen who held the rude, unfinished defences of the place had no choice but to retire or be blown into the water. The French knew the importance of the place as a key to the western lands, and they meant to have it, though they should take it by an open act of war. Their force there numbered fourteen hundred before summer came. They built a veritable fort, of the rough frontier pattern, but strong enough, as it seemed, to make the post secure, and waited to see what the English would do.

Dinwiddie had acted with good Scots capacity, as efficiently and as promptly as he could with the power he had. He was obliged to deal with a colonial assembly.—the French governors were not; and the Virginian

burgesses thought of domestic matters when Dinwiddie's thought was at the frontier. While Washington was deep in the forests, bearing his message, they quarrelled with the governor about the new fees which were charged since his coming for grants of the public land; and they refused him money because he would not yield in the matter. But when they knew how things actually stood in the West, and saw that the governor would levy troops for the exigency whether they acted with him or not, and pay for them out of his own pocket if necessary, they voted supplies.

There was no highway of open rivers for the Virginians, as for the French, by which they could descend to the forks of the Ohio; and Virginia had no troops ready as the French had. Raw levies of volunteers had first to be got together; and when they had been hastily gathered, clothed, and a little drilled, the first use to which it was necessary to put them was to cut a rough, mountainous road for themselves through the untouched forests which lay thick upon the towering Blue Ridge. It was painfully slow work, wrought at for week after week, and the French were safely intrenched at their fort "Duquesne" before the tired Virginian recruits had crossed the crest of the mountains. By midsummer they were ready to strike and drive the English back.

Blood had been spilled between the rivals ere that. Washington was in command of the little force which had cut its way through the forest, and he did not understand that he had been sent into the West this time merely to bear a message. When, therefore, one day in May (28 May, 1754) he found a party of French lurking at his front in a thicketed glade, he did not hesitate

to lead an attacking party of forty against them. The young commander of the French scouts was killed in the sharp encounter, and his thirty men were made prisoners. Men on both sides of the sea knew, when they heard that news, that war had begun. Young Washington had forced the hands of the statesmen



MERCHANTS' EXCHANGE, NEW YORK, 1752-1799

in London and Paris, and all Europe presently took fire from the flame he had kindled. In July, Washington was obliged to retire. He had only three hundred and fifty men, all told, at the rudely intrenched camp which he had constructed in the open glade of "Great Meadows" as the best place to await reinforcements; and in July the French were upon him with a force of seven hundred. All day he fought (3 July, 1754), and in a drenching rain, the French firing from the

edges of the woods, his own men in their shallow, flooded trenches in the open; but by night he knew he must give way. The French offered him an honorable capitulation, and the next day let him go untouched, men and arms, with such stores as he could carry.

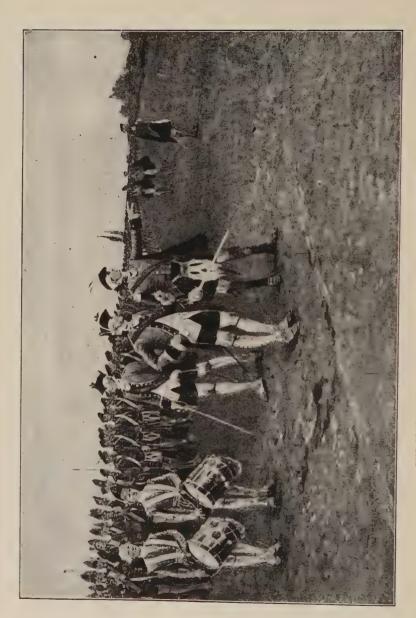
It was a bad beginning at winning the West from the French: and all the worse because it showed how weak the English were at such work. The danger was not Virginia's alone; it touched all the English in America; but the colonies could not co-operate, and, when they acted at all, acted sluggishly, as if war would wait for both parties to get ready. The assemblies of Pennsylvania and New York declared very coldly that they did not see what right the English crown had to the valley of the Ohio. Maryland had been about to raise a force, but had not yet done so when the fatal day at Great Meadows came. Two "independent companies" in the King's pay had been ordered from New York, and a like company from South Carolina: and North Carolina had sent forward three hundred and fifty men; but only the single company from South Carolina had reached Great Meadows, where Washington was, before the French were upon him.

Dinwiddie and every other governor who heeded or wrote of the business told the ministers in England that they must act, and send the King's own troops; and happily the ministers saw at last the importance of what should be won or lost in America. Troops were sent. For Europe it was the beginning of the Seven Years' War (1755–1763), which was to see the great Frederick of Prussia prove his mastery in the field; which was to spread from Europe to Asia and to Africa; which was to wrest from the French for Eng-

land both India and America. But for the colonists in America it was only "the French and Indian War." Their own continent was the seat of their thoughts.

The beginnings the home government made were small and weak enough; but it did at least act, and it was likely that, should it keep long enough at the business, it would at last learn and do all that was necessary to make good its mastery against a weaker rival. By the 20th of February, 1755, transports were in the Chesapeake, bringing two regiments of the King's regulars, to be sent against Duquesne. The French. too, were astir. Early in the spring eighteen French ships of war sailed for Canada, carrying six battalions and a new governor; and though the English put an equal fleet to sea to intercept them, the Frenchmen got into the St. Lawrence with a loss of but two of their ships, which had straved from the fleet and been found by the English befogged and bewildered off the American coast. The scene was set for war both north and south.

Major General Edward Braddock commanded the regiments sent to Virginia, and was commissioned to be commander-in-chief in America. He therefore called the principal colonial governors to a conference at Alexandria, his headquarters. By the middle of April five had come: Robert Dinwiddie, of course, the governor of Virginia; Robert Hunter Morris, whose thankless task it was to get war votes out of the Pennsylvanian assembly of Quakers and lethargic German farmers; Horatio Sharpe, the brave and energetic gentleman who was governor of Maryland; James DeLancey, the people's governor, of New York; and William Shirley, governor of Massachusetts, past sixty, but as strenuous as Dinwiddie, and eager for the field though he had



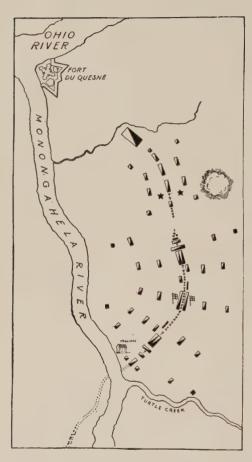
THE PLAINS OF ABRAHAM ON THE MORNING OF THE BATTLE

been bred a lawyer,—every inch "a gentleman and politician," it was said. It was he who had done most to organize and expedite the attack on Louisbourg which had succeeded so handsomely ten years ago (1745). He would at any rate not fail for lack of selfconfidence. The conference planned an attack on Niagara, to be led by Shirley himself, to cut the French off from Duquesne; an attack on Crown Point, to be led by Colonel William Johnson, of New York, whom the Mohawks would follow, to break the hold of the French on Champlain; an attack upon Beauséjour, in Acadia, under the leadership of Lieutenant-Colonel Monckton, of the King's regulars: and a movement under the command of General Braddock himself straight through the forests against Duquesne, by the way Washington had cut to Great Meadows.

It would have been much better had General Braddock chosen a route farther to the north, where the Pennsylvanian farmers of the frontier had begun to make roads and open the forests for the plough; but it made little difference, after all, which way he went: his temper and his training doomed him to fail. He lacked neither courage nor capacity, but he sadly lacked discretion. He meant to make his campaign in the wilderness by the rules of war he had learned in Europe, where the forests were cleared away and no subtile savages could dog or ambush an army; and he would take no advice from provincials. Few but Washington cared to volunteer advice, for the commanderin-chief was "a very Iroquois in disposition." He took two thousand men into the wilderness, with artillery trains and baggage: fourteen hundred regulars. nearly five hundred Virginians, horse and foot, two

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independent companies from New York, and sailors from the transports to rig tackle to get his stores and



MAP OF BRADDOCK'S DEFEAT

field-pieces out of difficulties in the rough road. Washington went with the confident commander, by special invitation, to act as one of his aides. and was the only provincial officer whose advice was given so much as consideration during all the weary weeks in which the little army widened and levelled its way with axe and spade through the dense woods. And then the fatal day came which filled all the colonies with dismay.

The French commander at Duquesne had no such force as Brad-

dock was bringing against him. He expected to be obliged to retire. But on the 9th of July the English general, with his advance force of twelve hundred

men, forded the shallow Monongahela but eight miles from Duquesne, and striking into the trail which led to the fort, walked into an ambush. A thousand men,-Indians, chiefly, and Canadian provincials,poured a deadly fire upon him from the thick cover of the woods on either hand. He would not open his order and meet the attack in forest fashion, as Washington begged him to do, but kept his men formed and crowded in the open spaces of the road, to be almost annihilated, and driven back, a mere remnant, in utter rout. It was shameful, pitiful. Washington and his Virginian rangers could with difficulty keep the rear when the rout came, and bring the stricken commander off, to die in the retreat. Dinwiddie could not persuade the officers left in command even to stay upon the Virginian frontier to keep the border settlements safe against the savages. It was Washington's impossible task for the rest of the war to guard three hundred and fifty miles of frontier with a handful of half-fed provincial militia, where the little huts and tiny settlements of the Scots-Irish immigrants lav scattered far and wide among the foothills and valleys of the spreading mountain country, open everywhere to the swift and secret onset of the pitiless redskins.

Braddock's papers, abandoned in the panic of the rout, fell into the hands of the French, and made known to them all the English plans. They were warned what to do, and did it as promptly as possible. Shirley gave up the attempt to take Niagara before reaching the lake. Johnson, assisted by Lyman, of Connecticut, met the French under Dieskau at Lake George, and drove them back (September 8, 1755),—the commander and part of the force the French had so hastily de-

spatched to America in the spring,—and Dieskau himself fell into their hands; but they did not follow up their success or shake the hold of the French upon the line of lakes and streams which ran from the heart of New York, like a highway, to the valley of the St. Lawrence. The attack upon Beauséjour alone accomplished what was planned. A force of two thousand New England provincials, under Colonel Monckton and Colonel John Winslow, found the half-finished fortifications of the French on Beauséjour hill in their hands almost before their siege was fairly placed; and Acadia was more than ever secure.

There followed nearly three years of unbroken failure and defeat. In 1756 the Marquis Montcalm succeeded Dieskau as commander in Canada, and the very year of his coming took and destroyed the English forts at Oswego. That same year the Earl of Loudon came over to take charge of the war for the English: but he did nothing effective. The government at home sent reinforcements, but nothing was done with them that counted for success. "I dread to hear from America," exclaimed Pitt. In 1757 Loudon withdrew the best of his forces to the north, to make an attack on Louisbourg. Montcalm took advantage of the movement to capture Fort William Henry, the advanced post of the English on Lake George: and Loudon failed in his designs against Louisbourg. Even the stout and wilv English frontiersmen of the northern border found themselves for a little while overmatched. In March, 1758, Robert Rogers, the doughty New Hampshire ranger whose successful exploits of daring all the northern border knew, was beaten by a scouting party from Ticonderoga, and barely came off with his life. The



Man H

WILLIAM PITT

pouring in of troops, even of regulars from over sea, seemed to count for nothing. General James Abercrombie led an army of fifteen thousand men, six thousand of them regulars, against Ticonderoga, where Montcalm had less than four thousand; blundered at

every critical point of the attack; lost two thousand men; and retired almost as if in flight (July, 1758).

But that was the end of failure. The year 1757 had seen the great Pitt come into control of affairs in England, and no more incompetent men were chosen to

James abseromby

SIGNATURE OF JAMES ABERCROMBIE

command in America. Pitt had been mistaken in regard to Abercrombie, whom he had retained; but he made no more mistakes of that kind, and a war of failure was transformed into a war of victories, quick and decisive. Two more years, and the French no longer had possessions in America that any nation need covet. Pitt saw to it that the forces, as well as the talents, used were adequate. In July, 1758, a powerful fleet under Admiral Boscawen, and twelve thousand troops under General Jeffrey Amherst, whom Pitt had specially chosen for the command, invested and took Louisbourg. In August, Colonel John Bradstreet, with three thousand of Abercrombie's men, drove the French from Fort Frontenac at Oswego. In November the French abandoned Fort Duquesne, upon the approach of a force under General Forbes and Colonel Washington. In June, 1759, Johnson captured the French fort at Niagara and cut the route to the Ohio, -where Fort Duquesne gave place to Fort Pitt. At midsummer General Amherst, after his thorough fashion, led eleven thousand men against Ticonderoga, and had the satisfaction of seeing the French retire before him. He cleared Lake George and captured and strengthened



THE CAPITULATION OF LOUISBOURG

Crown Point upon Champlain. The French needed all their power in the north, for Pitt had sent Wolfe against Quebec. They had concentrated quite fourteen thousand men in and about the towering city ere



If while the JEFFREY AMHERST

Wolfe came with scarcely nine thousand (June 21, 1759), and their fortifications stood everywhere ready to defend the place. For close upon three months the English struck at their strength in vain, first here and then there, in their busy efforts to find a spot where



James Wolfe JAMES WOLFE

to get a foothold against the massive stronghold,—Montcalm holding all the while within his defences to tire them out; until at last, upon a night in September which all the world remembers, Wolfe made his way by

a path which lay within a deep ravine upward to the heights of Abraham, and there lost his life and won Canada for England (September 13, 1759).

After that the rest of the task was simple enough. The next year Montreal was yielded up, all Canada passed into the hands of the English, and the war was practically over. There were yet three more years to wait before formal peace should be concluded, because the nations of Europe did not decide their affairs by the issue of battles and sieges in America; but for the English colonies the great struggle was ended. By the formal peace, signed in 1763, at Paris, England gained Canada, Nova Scotia, Cape Breton Island, and all the islands of the Gulf of St. Lawrence, the river and harbor of Mobile, and all the disputed lands of the continent, north and south, between the eastern mountain ranges and mid-stream of the Mississippi, except New Orleans, -besides the free navigation of the great river. From Spain she got Florida. France had the vear before (1762) ceded to Spain her province of "Louisiana." the great region beyond the Mississippi, whose extent and boundaries no man could tell. She was utterly stripped of her American possessions, and the English might look forward to a new age in their colonies.

The general authorities for the condition of the country and the movement of affairs during this period are the well known histories of Bancroft, Hildreth, and Bryant; the third volume of J. A. Doyle's English Colonies in America; the third volume of J. G. Palfrey's Compendious History of New England; W. B. Weeden's Economic and Social History of New England; Mr. Barrett Wendell's Cotton Mather; Mr. Eben G. Scott's Development of Constitutional Liberty in the English Colonies of America; C. W. Baird's Huguenot Emigration to America; James Russell Lowell's New England Two Centuries Ago, in his Among My Books; Mr. Brooks Adams's

¹ See page 292.

Emancipation of Massachusetts; Madame Knight's Journal (1704); John Fontaine's Diary, in the Memoirs of a Huguenot Family; and Benjamin Franklin's Autobiography.

A more particular account of many of the transactions that fell within the period may be found in Justin Winsor's New England, 1089-1763, in the fifth volume of Winsor's Narrative and Critical History of America; Berthold Fernow's Middle Colonies, Justin Winsor's Maryland and Virginia, and William J. Rivers's The Carolinas, in the same volume of Winsor; Charles C. Smith's The Wars on the Seaboard: Acadia and Cape Breton, and Justin Winsor's Struggle for the Great Valleys of North America, in the same volume of Winsor.

The chief authorities for the settlement and early history of Georgia are Bancroft, Hildreth, and Bryant; Charles C. Jones's History of Georgia and English Colonization of Georgia in the fifth volume of Winsor's Narrative and Critical History of America; W. E. H. Lecky's History of England in the Eighteenth Century; Alexander Hewatt's Historical Account of the Rise and Progress of the Colonies of South Carolina and Georgia, in Carroll's Historical Collections of South Carolina; the first and second volumes of Peter Force's Tracts and Other Papers relating to the Colonies in North America; and the Colonial Acts of Georgia.

CHAPTER II

THE PARTING OF THE WAYS

No one who marked how the English colonies had grown, and how the French had lagged in the effectual settlement and mastery of the regions they had taken. could wonder that in the final struggle for supremacy the English had won and the French lost everything there was to fight for. The French had been as long on the continent as the English, and vet they did not have one-tenth the strength of the English, either in population or in wealth, when this war came. There were fifty-five thousand white colonists in Canada. all told; and only twenty-five thousand more in all the thin line of posts and hamlets which stretched from the St. Lawrence through the long valley of the Mississippi to the Gulf,—eighty thousand in all. In the English settlements there were more than a million colonists (1,160,000), not scattered in separated posts set far apart in the forested wilderness, but clustered thick in towns and villages, or in neighborly plantations, where the forest had been cleared away, roads made, and trade and peace established. The English had been seeking, not conquest, but comfort and wealth in busy centres and populous country-sides, where their life now ran as strong and as calm, almost, as if they were still in the old lands of England itself. The French.

THE PARTING OF THE WAYS

on the contrary, were placed where their government wished them to be; could hardly be said to have formed independent communities at all; and were glad if they could so much as eke out a decent subsistence from the soil, or from food brought by ship from France over sea. The English spread very slowly, considering how fast they came, and kept in some sort a solid mass; but the result was that they thoroughly possessed the country as they went, and made homes, working out a life of their own. The French merely built frontier posts, the while, on the lakes and rivers, as they were bidden or guided or exhorted by their governors; took up such land as was assigned them by royal order; did their daily stint of work, and expected nothing better. were, moreover, painfully, perilously isolated. Ships could come from England to any part of the English coasts of America in five weeks, whereas it was a good six months' journey from France to the frontier posts upon the lakes or by the far-away western rivers. The St. Lawrence was closed for nearly half the year by ice: and it was a weary task to get any boat up the stream of the endless Mississippi against its slow tide of waters and through the puzzling, shifting channels of its winding course.

The Marquis Duquesne had called the Iroquois to a council in 1754, ere he left his governorship, and had commended his sovereign's government to them because of this very difference between French and English. "Are you ignorant," he said, "of the difference between the King of England and the King of France? Go, see the forts that our King has established, and you will see that you can still hunt under their very walls. They have been placed for your advantage

in places which you frequent. The English, on the contrary, are no sooner in possession of a place than the game is driven away. The forest falls before them as they advance, and the soil is laid bare so that you can scarce find the wherewithal to erect a shelter for the night." Perhaps Duquesne, being a soldier and no statesman, did not realize all that this difference meant. The French posts, with the forests close about them, were not self-supporting communities such as everywhere filled the English dominion. Their governors were soldiers, their inhabitants a garrison, the few settlers near at hand traders, not husbandmen, or at best mere tenants of the crown of France. No doubt it was easier for the savages to approach and trade with them; but it would turn out to be infinitely harder for the French to keep them. Their occupants had struck no deep rootage into the soil they were seated upon, as the English had.

Englishmen themselves had noted, with some solicitude, how slow their own progress was away from the sea-coast. It was not until 1725 that settlers in Massachusetts had ventured to go so far away from the Bay as the Berkshire Hills. "Our country has now been inhabited more than one hundred and thirty years," exclaimed Colonel Byrd, of Virginia, in 1729, "and still we hardly know anything of the Appalachian Mountains, that are nowhere above two hundred and fifty miles from the sea. Whereas the French, who are later comers, have ranged from Quebec southward as far as the mouth of the Mississippi, in the Bay of Mexico, and to the west almost as far as California, which is either way above two thousand miles." But Colonel Byrd was thinking of discovery, not of settlement;

THE PARTING OF THE WAYS

the search for minerals and the natural wealth of the forests, not the search for places to which to extend permanent homes and government. The difference

arose out of the fundamental unlikeness of French and English, both in life and in government.

The statesmen of both France and England accepted the same theory about the use colonies should be put to, — the doctrine and practice everywhere accepted in their day. Colonies were to be used to enrich the countries which possessed

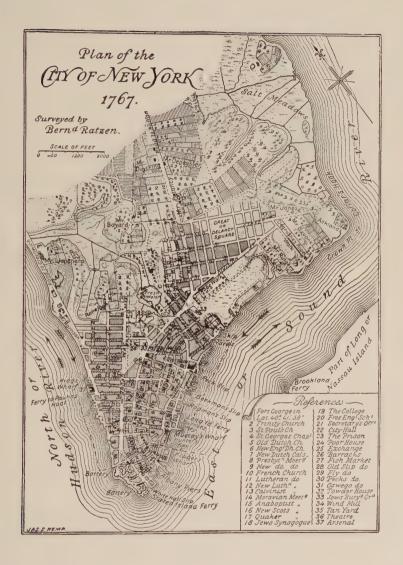


Wyrd. WILLIAM BYRD

them. They should send their characteristic native products to the country which had established them, and for the most part to her alone, and should take her manufactures in exchange; trade nowhere else to her disadvantage; and do and make nothing which could bring them into competition with her merchants and manufacturers. But England applied this theory in one way, France in another. It was provoking enough to the English colonists in America to have, in many a petty matter, to evade the exacting Navigation Acts, which restricted their trade and obliged them to buy manufactured goods

at prices fixed by the English merchants. It a little cramped and irritated them that they were forbidden to manufacture now this and now that, though the material lay at their very doors, because English manufacturers wished their competition shut out. Restriction was added to restriction. In 1706, naval stores and rice, which the Carolinas were learning to produce to their increasing profit, were added to the list of products which must be sent to England only; and in 1722 copper and furs. In 1732 the manufacture of beaver hats was forbidden, and in 1750 the maintenance of iron furnaces or slit mills. But there was always an effort made at reciprocal advantage. Though the colonies were forbidden to manufacture their iron ores, their bar and pig iron was admitted into England free of duty, and Swedish iron, which might have undersold it, was held off by a heavy tariff, to the manifest advantage of Maryland and Virginia. Though the rice of the Carolinas for a time got admission to market only through the English middlemen, their naval stores were exported under a heavy bounty; and in 1730, when the restriction laid on the rice trade pinched too shrewdly, it was removed with regard to Portugal, the chief European market open to it. Parliament had generally an eye to building up the trade of the colonies as well as to controlling it.

The home government, moreover, though it diligently imposed restrictions, was by no means as diligent in enforcing them. An ill-advised statute of 1733 laid prohibitory duties on the importation of sugar, molasses, and rum out of the French West Indies, in the hope that the sales of sugar and molasses in the islands owned by England might be increased. To enforce



the act would have been to hazard the utter commercial ruin of New England. Out of the cheap molasses of the French islands she made the rum which was a chief source of her wealth,—the rum with which she bought slaves for Maryland, Virginia, and the Carolinas, and paid her balances to the English merchants. But no serious attempt was made to enforce it. Customs officers and merchants agreed in ignoring it, and officers of the crown shut their eyes to the trade which it forbade. Smuggling upon that long coast was a simple matter, and even at the chief ports only a little circumspection was needed about cargoes out of the Indies.

Moreover, the men who governed in England contented themselves with general restrictions and did not go on to manage the very lives of the colonists in the colonies themselves. That was what the French did. They built their colonies up by royal order: sent emigrants out as they sent troops, at the King's expense and by the King's direction: could get only men to go, therefore, for the most part, and very few women or families. For the English there was nothing of the sort, after the first. Rich men or great mercantile companies might help emigrants with money or supplies or free gifts of land in order to fill up the colonies which the crown had given them the right to establish and govern: but only those went out who volunteered. Emigrants went, moreover, in families, after the first years were passed and the colonies fairly started, if not at the very outset of the enterprise, -in associated groups, congregations, and small volunteer communities. When they reached the appointed place of settlement they were left to shift for themselves, as they had expected, exactly as they would have been at home:

THE PARTING OF THE WAYS

and they insisted upon having the same rights and freedom they would have had there. They were making homes, without assistance or favor, and for their own use and benefit.

It was inevitable in the circumstances that their colonial governments should be like themselves, homemade and free from control in the management of what chiefly concerned their own lives. They were just as hard to supervise and regulate when the settlements were small as when they grew large and populous, a little harder, indeed, because the colonists were the more anxious then about how the new life they were beginning was to go, and the less sure of their power or influence to resist the efforts of the crown to manage and interfere with them. By the time the French war came there was no mistaking the fact that the English colonies had grown to be miniature states, proud, hardfibred, independent in temper, practised in affairs. They had, as Edmund Burke said, "formed within themselves, either by royal instruction or royal charter, assemblies so exceedingly resembling a parliament, in all their forms, functions, and powers, that it was impossible they should not imbibe some opinion of a similar authority." At first, no doubt, their assemblies had been intended to be little more than the managing bodies of corporations. "But nothing in progression can rest on its original plan. We may as well think of rocking a grown man in the cradle of an infant. Therefore, as the colonies prospered and increased to a numerous and mighty people, spreading over a very great tract of the globe, it was natural that they should attribute to assemblies so respectable in their formal constitution some part of the dignity of the great nations

which they represented." They "made acts of all sorts and in all cases whatsoever. They levied money upon



for Bouls.

EDMUND BURKE

regular grants to the crown, following all the rules and principles of a parliament, to which they approached every day more and more nearly." And Burke saw how inevitable, as well as how natural, the whole growth

THE PARTING OF THE WAYS

had been. "Things could not be otherwise," he said; "English colonies must be had on these terms, or not had at all."

They had used their governments for their own purposes, and rather like independent states than like dependent communities. In every colony the chief point of conflict between governor and assembly, whether in the proprietary or in the crown colonies, had always been connected with the subject of salaries. Again and again governors had been instructed to insist upon an adequate income, charged permanently upon some regular source of public revenue; but again and again, as often as made, their demand had been refused. They could get only annual grants, which kept all officers of the crown dependent upon the people's assemblies for maintenance while in office. There had long been signs that the ministers of the King and the proprietors at home were tired of the contest, and meant, for the mere sake of peace, to let the colonial assemblies alone. to rule, as Parliament ruled, by keeping control of the moneys spent upon their own governments.

There was, too, more and more money in the colonies as the years went by. New England, where, except in the rich valley of the Connecticut, the soil yielded little beyond the bare necessaries of life, led the rest of the colonies in the variety of her industries. Though parliamentary statutes forbade the making of woollen goods or hats or steel for export, the colonists were free to make anything they might need for use or sale within a single colony or in their own homes; and the thrifty New England farmers and villagers made most of their own furniture, tools, and household utensils, while their women or the village weavers wove the linen and

woollen stuffs of which their clothes were made. They lived upon their own resources as no other colonists did. And their trade kept six hundred vessels busy plying to and fro to English and foreign ports. Almost every sea-coast hamlet was a port and maintained its little fleet. A thousand vessels, big and little, went every year to the fisheries, or up and down the coasts carrying the trade between colony and colony. A great many of these vessels the colonists had built themselves, out of the splendid timber which stood almost everywhere at hand in their forests; and every one knew who knew anything at all about New England that her seamen were as daring, shrewd, and hardy as those bred in past generations in the Devonshire ports of old England. Their boats flocked by the hundreds every year to the misty, perilous banks of Newfoundland, where the cod were to be caught. They beat up and down the long seas in search of the whale all the way from "the frozen recesses of Hudson's Bay and Davis's Straits" to the coasts of Africa and Brazil, far in the south. "Neither the perseverance of Holland, nor the activity of France, nor the dexterous and firm sagacity of English enterprise," exclaimed Burke, "ever carried this most perilous mode of hardy industry to the extent to which it has been pushed by this recent people,—a people who are still, as it were. but in the gristle, and not vet hardened into the bone of manhood"

Massachusetts had been known, while peace held and men breathed freely, between Queen Anne's and King George's wars, to complete one hundred and fifty ships in a single year, every town upon the coast and even little villages far within the rivers launching vessels

THE PARTING OF THE WAYS

from busy shipyards. Ship building became New England's chief industry; and in 1724 the master builders of the Thames prayed Parliament for protection against the competition of the colonies. The annual catch of whale and cod by the New Englanders was worth two hundred and fifty thousand pounds sterling; and, besides fish and fish-oil, they shipped their fine timber, and not a little hay and grain even, across the sea



VIEW OF THE BUILDINGS BELONGING TO HARVARD COLLEGE, CAMBRIDGE, NEW ENGLAND, 1726

or to the other colonies. Everywhere in America the forests yielded splendid timber, as his Majesty's ministers well knew: for they sent into the northern forests of pine and had the tallest, straightest trees there marked with the royal arms, as a notice that they were reserved to be used as masts for his Majesty's war-ships,—as if the King had a right to take what he would.

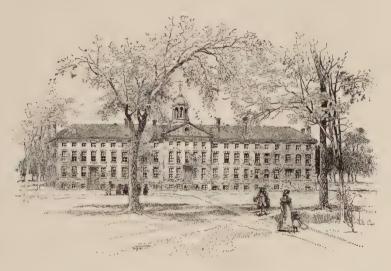
"New England improved much faster than Virginia," Colonel Byrd admitted; and yet Virginia had her own rich trade, of which tobacco was the chief staple; and

all the colonies busied themselves as they could, and visibly grew richer year by year. The middle colonies were scarcely less industrious than those of the bleaker north, and prospered even more readily with their kindlier climate and their richer soil. Pennsylvania, with her two hundred and twenty thousand colonists, with her thrifty mixture of Germans, Quakers, Scots, and Scots-Irishmen, needed a fleet of four hundred sail to carry each season's spare produce from the docks at Philadelphia; and New York had her separate fleet of close upon two hundred sail.

England depended upon the colonies for much of the naval stores, of the potash, and of the pearlash which she needed every year. Mines of iron and of copper had been opened both in the middle colonies and in the south. The colonists made their own brick for building, and their own paper and glass, as well as their own coarse stuffs for clothing, and many of their own hats of beaverskin. Substantial houses and fine, sightly streets sprang up in the towns which stood at the chief seaports; and in the country spacious country seats, solidly built, roomy, full of the simpler comforts of gentlefolk. The ships which took hides and fish and provisions to the West Indies brought sugar and molasses and wine and many a delicacy back upon their return, and the colonists ate and drank and bore themselves like other well-to-do citizens the world over. They were eager always to know what the London fashions were; there was as much etiquette to be observed upon quiet plantations in Virginia as in English drawing rooms. It was, indeed, touched with a certain beauty of its own, because of the provincial simplicity and frank neighborliness which went

along with it; but it was grave and punctilious, and intended to be like London manners. There was as much formality and gayety "in the season" at Williamsburg, Virginia's village capital, as in Philadelphia, the biggest, wealthiest, most stately town in the colonies.

There were many ways in which the colonies finished and filled out their lives which showed that they re-



NASSAU HALL, PRINCETON COLLEGE, 1760

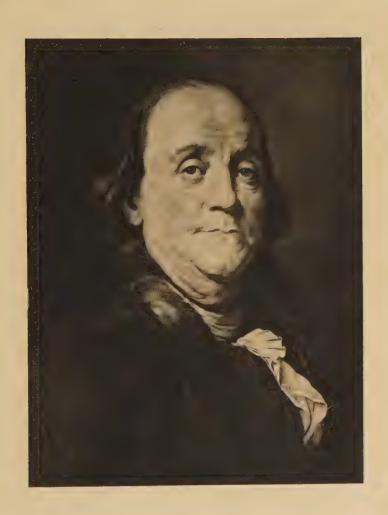
garded themselves as in a sense independent communities and meant to provide for themselves everything they needed for their life alone on a separate continent. They had no thought of actually breaking away from their allegiance to the home government over sea; but no man could possibly overlook the three thousand miles of water that stretched between England and America. At that immense distance they were obliged in great measure to look out for themselves and con-

trive their own ways of sustenance and development, and their own way of culture. Before the French war began, two more colleges, in addition to Harvard in Massachusetts and William and Mary in Virginia, had been established to provide the higher sort of training for youths who were to enter the learned professions. Besides Yale, the College of New Jersey had been founded. At first set up in 1746 as a collegiate school, at



KING'S COLLEGE, NEW YORK, 1758

Elizabethtown, it was in 1756 given a permanent home and built up into a notable training place for youth at Princeton. In 1754, the year Washington attacked the French in the western forests, King's College was added to the growing list, in New York, by royal charter. Ten years later (1764), upon the very morrow of the signing of peace, certain public-spirited men of the Baptist communion followed suit in Rhode Island by founding the school which was afterwards to be called Brown University. Here were six colleges for this new English nation at the west of the Atlantic. Many wealthy





colonists, particularly in the far south, continued to send their sons to the old country to take their learning from the immemorial sources at Oxford and Cambridge; but more and more the colonies provided learning for themselves.

Their growing and expanding life, moreover, develop-



THE BIRTHPLACE OF BENJAMIN FRANKLIN, MILK STREET, BOSTON

ed in them the sense of neighborhood to one another, the consciousness of common interests, and the feeling that they ought in many things to coöperate. In 1754, while the first sharp note of war was ringing from the Alleghanies, a conference with the Six Nations was held at Albany, which, besides dealing with the redmen, and binding them once more to be friends and allies of the English against the French, considered

nothing less than a plan of union for the colonies. This was the fourth time that the representatives of several colonies at once had come together at Albany to confer with the Iroquois. The first conference had taken place there in 1689, the year King William's War began. Albany lay nearest the country of the Iroquois. It was necessary when war was afoot to make sure that the redskins should side with the English, and not with the French: and that was now for the fourth time. in 1754, more critically important than ever. The home government had directed that the conference be held, before they knew what Washington had done. It was the ministers in London, too, who had directed that a plan of union be considered, in order that the colonies might act in concert in the coming struggle with the French, and if possible under a single government even. Seven colonies were represented at the conference. Twenty-five delegates were there to take part in the business; and there was no difficulty about securing their almost unanimous assent to a plan of union. They adopted the plan which Mr. Benjamin Franklin, one of Pennsylvania's delegates, had drawn up as he made the long journey from Philadelphia.

Mr. Franklin had led a very notable life during the thirty eventful years which had gone by since he made his way, a mere lad, from Boston to Philadelphia to earn his livelihood as a journeyman printer; and how shrewd a knowledge he had gained of the practical affairs of the world anybody could see for himself who would read the homely-wise maxims he had been putting forth these twenty-two years in his "Poor Richard's" Almanacs, begun in 1732. The plan of union he suggested at Albany was, that the colonies should submit

to have their common interests cared for by a congress of delegates chosen by their several assemblies, and a



BENJAMIN FRANKLIN

"president general" appointed and paid by the crown; giving to the congress a considerable power of actual law-making and to the president general the right to veto its acts, subject to the approval of the ministers at

home. To all the delegates at Albany except those from Connecticut the plan seemed suitable and excellent; but the ministers at home rejected it because they thought it gave too much power to the proposed congress, and the colonial assemblies rejected it because they thought it gave too much power to the president general. Mr. Franklin said that the fact that neither the assemblies nor the King's ministers liked the plan made him suspect that it must be, after all, an excellent half-way measure, the "true medium" between extremes, effecting a particularly fair and equal distribution of power.

Then the war came, and made many things plain. The colonies did not cooperate. They contributed troops, watched their own frontiers as they could against the redskins, and freely spent both blood and money in the great struggle; but when it was all over, and the French dominion swept from the continent, it was plain that it had not been the power of the colonies but the power of England and the genius of the great Pitt that had won in the critical contest. France could send few reinforcements to Canada because England's ships commanded the sea. The stout Canadians had had to stand out for themselves unaided, with such troops as were already in the colony. In 1759, the year Wolfe took Quebec, there were more soldiers in the English colonies threatening the St. Lawrence than there were men capable of bearing arms in all Canada, - and quite half of them were regulars, not provincials. Pitt saw to it that enough troops and supplies were sent to America to insure success, and that men capable of victory and of efficient management even in the forested wilderness were put in command of affairs

in the field. He did not depend upon the colonies to do what he knew they had no plan or organization for

SEPTEMI	BF	E R		ΙX	Month.
In vain it is to plant, i					
In vain to harrow well the levell'd Plain, If thou doft not command the Seed to grow,					
And give Increase unto my bury'd Grain.					
For not a fingle Corn will rush to Birth, Of all that I 've intrusted to the Earth.					
If thou doft not enjoin the Shoot to fpring.					
And the young Blade to full Perfection bring I					
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27 Dis past Trin. 28 2 fair and pleasant.	6	75	53 52		us, under the
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301 4 Mouth of Pegalus.	6 1	1/5	49	ps 31	Db 4 Virtue.

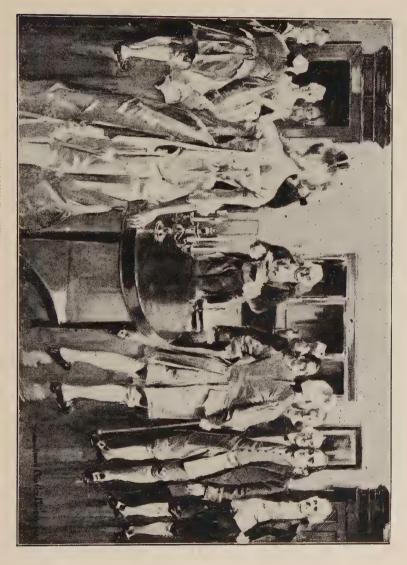
A PAGE OF "POOR RICHARD'S" ALMANAC

doing, but set himself to redress the balance of power in Europe by decisive victories which should make England indisputable mistress of America. "No man

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ever entered Mr. Pitt's closet who did not find himself braver when he came out than when he went in," said a soldier who had held conference with him and served him; and it was his statesmanship and his use of English arms that had made England's dominion complete and England's colonies safe in America.

English fleets and armies had not been sent to America, however, and equipped for warfare there, sustained in war season and out of it, without enormous expense; and that expense, which had set the colonies free to live without dread of danger or of confinement at any border, England had borne. It had been part of Mr. Franklin's plan of union, proposed at Albany, that the congress of the colonies should sustain the armies used in their defence and pay for them by taxes levied in America; but that plan had been rejected, and this war for the ousting of the French had been fought at England's cost,—much as the colonies had given of their own blood, and of their own substance for the equipment of their provincial levies, and much as they had suffered in all the obscure and painful fighting to protect their frontiers against the redskins, far away from set fields of battle. They had done more, indeed, than pay the costs which inevitably fell to them. They had "raised, paid, and clothed twenty-five thousand men,-a number," if Mr. Franklin was right. "equal to those sent from Great Britain and far beyond their proportion. They went deeply in debt in doing this: and all their estates and taxes are mortgaged for many years to come in discharging that debt." Parliament had itself acknowledged their loyal liberality and selfsacrifice, and had even voted them £200,000 a year for five years, when the war was over, by way of just re-



imbursement. But, though they had made sacrifices, they had, of course, not shared with the royal treasury the chief outlays of the war. Colonial governors, viewing affairs as representatives of the government at home, had again and again urged the ministers in London to tax the colonies, by act of Parliament, for means to pay for frontier forts, armies of defence, and all the business of imperial administration in America. But the ministers had hitherto known something of the temper of the colonists in such matters and had been too wise to attempt anything of the kind. Sir George Keith. who had been governor of Pennsylvania, had suggested to Sir Robert Walpole that he should raise revenue in the colonies; but that shrewd politician and man of affairs had flatly declined, "What," he exclaimed, "I have old England against me, and do you think I will have New England likewise?" Chatham had held the same tone. What English armies did in America was part of England's struggle for empire. for a leading station in power and riches in the world. and England should pay for it. The desire of the colonies to control their own direct taxes should be respected. English statesmen, so far, had seen the matter very much as observant Colonel Spotswood had seen it thirty odd years ago. If the ministers should direct moneys to be paid by act of Parliament, he said, "they would find it no easy matter to put such an act into execution"; and he deemed it "against the right of Englishmen," besides, "to be taxed, but by their representatives,"—new colonist though he was, and only the other day a governor of the crown in Virginia, the oldest and most loyal of the colonies.

It was now more than forty years since Colonel Spots-

wood, in the days of his governorship, had ridden to the far summit of the Alleghanies and looked down



MRS. BENEDICT ARNOLD AND CHILD

their western slopes towards the regions where England and France were to meet. Since that day he had served the crown very quietly as postmaster general for the colonies. At last he had died (1740) when on

the eve of sailing with Virginian troops for Cartagena. about to return at the very end of his days to his old calling of arms. He had lived thirty years in Virginia all told, and spoke out of abundant knowledge when he expressed a judgment as to what the ministers would find it hard to do in the colonies. He knew, as every man did who had had anything to do with the service of the crown in America, how stubbornly the colonists had resisted every attempt to unite their governments under a single governor or any single system. and how determined they had been to keep their governments in their own hands, notwithstanding they must have seen, as everybody else saw, the manifest advantage of union and a common organization in the face of England's rivals in America, north and south. The King's object in seeking to consolidate the more northern colonies under Sir Edmund Andros. whom New England had so hated, was not to attack their liberties, but "to weld them into one strongly governed state," such as should be able to present a firm front to the encroachments of the French,—a statesmanlike object, which no man who wished to serve the interests of English empire could reasonably criticise. But the colonists had not cared to regard their little commonwealths as pieces of an empire. They regarded them simply as their own homes and seats of self-government; and they feared to have them swallowed up in any scheme of consolidation, whatever its object. The French war, consequently, had been fought by the government in England, and not by any government in America.

Though a few statesmen like Walpole had had the sagacity to divine it. and all leaders in party counsels

had instinctively feared it, very few public men in England understood the temper or the unchangeable resolution of the colonies in such matters. Pitt understood it, but now that the war was over he was no longer suffered to be master in affairs. Burke understood it. but few heeded what he said. Such men knew by instant sympathy that this seemingly unreasonable temper of the colonists in great affairs was nothing else than the common English spirit of liberty. The colonists were simply refusing, as all Englishmen



FRANKLIN'S OLD BOOK-SHOP, NEXT TO CHRIST'S CHURCH, PHILADELPHIA

would have refused, to be directly ruled in their own affairs, or directly taxed for any purpose whatever,

by a government which they themselves had no part in conducting; and, whether reasonable or unreasonable, so long as they remained Englishmen it was useless to try to argue them out of that refusal. "An Englishman," cried Burke, "is the unfittest person on earth to argue another Englishman into slavery"; and he knew that to an Englishman it would seem nothing less than slavery to be stripped of self-government in matters of the purse.

Now that the French were driven out, it was more useless than ever to argue the point. The chief and most obvious reason for feeling dependent upon the mother country was gone. Awe of the British was gone, too. The provincial levies raised in the colonies had fought alongside the King's troops in all the movements of the war, and had found themselves not a whit less undaunted under fire, not a whit less able to stand and fight, not a whit less needed in victory. Braddock had died loathing the redcoats and wishing to see none but the blue cloth of the Virginian volunteers. When the war began, a regular from over sea had seemed to the colonists an unapproachable master of arms: but the provincials knew when the war was over that the redcoats were no better than they were. They had nothing to remember with mortification except the insulting contempt some of the British officers had shown for them, and the inferior rank and consideration their own officers had been compelled to accept.

It was the worst possible time the home government could have chosen in which to change its policy of concession towards the colonies and begin to tax and govern them by act of Parliament; and yet that was exactly

what the ministers determined to do. No master of affairs or of men, like Walpole or Pitt, was any longer in a place of guiding authority in London. George Grenville was prime minister: a thorough official and very capable man of affairs, of unquestionable integ-

rity, and with a certain not unhandsome courage as of conviction in what he did. but incapable of understanding those who opposed or resisted him, or of winning from them except by an exercise of power. The late war had been no mere "French and Indian" affair for English statesmen. It had been part of that stupendous" Seven Years' War" which had fixed Prussia in a place of power under the great Frederick, and had changed the



George Gnavelle

GEORGE GRENVILLE

whole balance of power in Europe; had brought India under England's widening dominion on one side of the world and America on the other,—had been a vast game which the stout little island kingdom had played almost alone against united Europe. It had not been a mere American war. America had reaped the benefits of England's effort to found an empire and secure

it, east and west. And yet the colonists seemed, when this momentous war by which they had so profited was over, to drop into indifference towards everything that remained to be done to finish what had been so well begun, even though it remained to be done at their own very doors.

France had ceded to England as a result of the war all the vast territory which lay upon the St. Lawrence and between the Mississippi and the eastern mountains, north and south. It was possible to provide a government for the province of Quebec and for the lands in the far south, in Florida and beside the mouths of the Mississippi; but between these lay the long regions which stretched, unsettled, along the great streams which ran everywhere into the Mississippi,—the Illinois country, the country round about the Ohio, the regions by the Cumberland,—all the boundless "back country" which lay directly behind the colonies at the west. The Lords Commissioners for Trade and Plantations in London wished to keep settlers out of these lands, in order that they might be left as a great hunting ground for the Indians, and so remain a permanent source of supply for the fur skins which enriched trade between the mother country and her colonies. But, meanwhile, whether settlers made their way thither or not, it was necessary to carry England's power among the Indians, and make them know that she, and not the King of France, was now sovereign there. This the Indians were slow to believe. They could not know what treaty-makers in Europe had decided: they did not believe that the French would leave and the English come in in their stead at the western forts: and it moved them hotly to think of such a change. The



BOUNDARY MONUMENT ON THE ST. CROIX

French had made them welcome at their frontier posts, and did not drive off the game, as Duquesne had told them, ere this fatal war began. The French had been willing to be comrades with them, and had dealt with them with a certain gracious courtesy and consideration; while the English treated them, when they dared, like dogs rather than like men, drove them far into the forests at their front as they advanced their settlements bullied them, and often cheated them in trade. It was intolerable to the northern Indians to think of these men whom they feared and hated being substituted for the French, with whom they found it at least possible to live.

They were dangerous neighbors, and the danger was near and palpable. The war with the French was

hardly over when English settlers began to pour across the Alleghanies from Pennsylvania, Maryland, and Virginia,—men of the stern and sober Scots-Irish breeding for the most part, masterful and imperious, and sure to make the lands they settled upon entirely their own. There were already tribes among the Indians in the northwest who had been driven out of Pennsylvania by the earlier movements of these same people, and who had taken with them to their new homes the distress and the dread of exile. It were fatal, they knew, to wait. If the English were ever to be driven within the barriers of the Alleghanies again, it must be done now, and all the tribes must rally to the desperate business.

They found a leader in Pontiac, a chief of the Ottawas. A dozen powerful tribes heeded him when he counselled secret confederacy, and, when all should be ready, sudden war; and the English presently had reason to know how able an enemy they had to fear, -a man of deep counsel, astute and masterful. In June, 1763, the first blow was struck,—from end to end of the open border,—even the Senecas, one of the Six Nations, joining in the bitter work. Every frontier fort except Detroit, Niagara, and Pitt was in their hands at the first surprise: smoking ruins and the bodies of white men slain marked all the borders where the French had been. The English rallied, stubborn and undaunted. Three forts at least were saved. There were men at hand like Colonel Bouquet, the gallant officer who went to the relief of Fort Pitt, who knew the strategy of the forest as well as the redskins did. and used steadfast English, not fickle savages, in the fighting; and, though the work was infinitely hard





and perilous and slow in the doing, within two years it was done. Before the year 1765 was out, Pontiac had been brought to book, had acknowledged himself beaten, and had sued for peace.



PONTIAC, CHIEF OF THE OTTAWAS

But by that time the English ministers knew the nature of the task which awaited them in America. It was plain that they must strengthen the frontier posts and maintain a force of soldiers in the colonies, if English power was to be safe there, and English

lives. Not fewer than twenty thousand men would be needed; and it would be necessary to organize government, civil as well as military, in a more effective way. It might be necessary to pay the colonial judges and even the colonial governors out of the general treasury of the empire, rather than leave them always dependent upon the uncertain grants of the colonial legislatures. The new plans would, taken all together, involve, it was reckoned, the expenditure of at least £300,000 a year. Mr. Grenville, now at the head of the government in England, was a lawver and a man of business. "He took public business not as a duty which he was to fulfil, but as a pleasure he was to enjoy." and, unfortunately, he regarded American affairs as ordinary matters of duty and of business. England had spent £60,000,000 sterling to put the French out of America: £140,000,000 had been added to the national debt. Her own sources of revenue were quite run dry. Mr. Grenville and his colleagues did not know where else to turn for another penny, if not to America. They therefore determined that, since heavy additional expenditures must be undertaken for the proper administration and defence of the colonies. America must be made to supply at least a part of the money to meet them. Not all of it. It was the ministers' first idea to raise only £100,000 out of the £300,000 by taxes directly derived from the colonies: and every farthing of that, with twice as much more, was to be spent, of course, in America. The money was none of it to cross the sea. It was to remain in the colonial treasuries until expended for colonial administration and defence

Some men there were in England who were far-sighted

enough to see what this new policy would lead to; but Grenville did not, and Parliament did not. In March, 1764, therefore, upon the introduction of his annual



Thenry Douguet

HENRY BOUQUET

budget, the prime minister introduced a bill, which was passed, laying fresh and more effective taxes on wines, sugar, and molasses imported into the colonies, tightening and extending the old Navigation Acts

and still further restraining manufactures; and at the same time announced that he would, the next year, propose a moderate direct tax upon the colonies in the form of an act requiring revenue stamps to be used



BOUQUET'S REDOUBT AT PITTSBURG

on the principal sorts of documents employed in America in legal and mercantile business.

Mr. Grenville had no desire to irritate the Americans. He thought they might protest; he never dreamed they would disobey. He was, no doubt, surprised when he learned how hot their protests were; and when his Stamp Act the next year became law, their anger and flat defiance must have seemed to him mere wanton rebellion. He introduced the Stamp Act with his budget of 1765. The Commons gave only a single sitting to the discussion of its principles; passed it almost without opposition; and by the 22d of March it was law.

1 See page 303.

A few members protested. Colonel Barré, standing there in his place, square, swarthy, a soldier from the field, that staring wound upon his face which he had



Herry). PATRICK HENRY

taken where Wolfe died, on the Plains of Abraham, told the ministers very flatly that the colonists, whom he had seen and fought for, owed to them neither the planting nor the nourishing of their colonies, had a

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liberty they had made for themselves, were very jealous of that liberty, and would vindicate it. Benjamin Franklin was in London to make protest for Pennsylvania; and the agents of the other colonies were as active as he, and as ready to promise that the colonial legislatures would themselves grant out of their own treasuries more than the Act could yield, if only they were left to do it in their own way. Mr. Franklin

Snace Barrel

SIGNATURE OF ISAAC BARRÉ

had pointed out in very plain terms how sharp a departure there was in such measures from the traditional dealings of the crown with the colonies, how loyal they had been in granting supplies when required, and how ill a new way of taxation would sit upon the spirits of the colonists. But the vote for the bill was five to one. Neither the ministers nor the Commons showed the least hesitation or misgiving.

The Act operated in America like a spark dropped on tinder. First dismay, then anger, then riot and open defiance, showed what the colonists thought and meant to do. Their own agents in London were as little prepared as the ministers themselves for the subden passion. They had asked for appointments for their friends as stamp distributers under the Act. Richard Henry Lee, of Virginia, even asked for a place for himself under it, so different a look did things wear in London from that which they wore at home in the Old Dominion. But these gentlemen learned the temper

of America, and changed their own, soon enough. The Act was in no way extraordinary or oppressive in its provisions. It required of the colonists only what was already required in respect of business transactions in England: namely, that revenue stamps, of values varying with the character of the transaction

The first Man that either distributes or makes use of Stampt Paper let him take Care of his House, Person, & Effects.

Vox Populi;

We Faxe

FACSIMILE OF POSTER PLACED ON THE DOORS OF PUBLIC BUILDINGS

or the amount involved, should be attached to all deeds, wills, policies of insurance. and clearance papers for ships, to legal papers of almost every kind, to all written contracts and most of the business papers used by merchants in their formal dealings, and to all periodical publications and advertisements. The colonies themselves had imposed such taxes; in England they had

been used since William and Mary, and had proved eminently convenient and easy of collection. Governor Shirley, of Massachusetts, had himself urged that Parliament use them in America, American though he was. Mr. Franklin had taken it for granted, when he saw the Act become law, that they must be submitted to. But America flatly refused obedience, and, except in the newly conquered provinces of Nova Scotia and Canada, the stamps were not used.

The Act was not to go into operation until the 1st of November (1765); but long before the first of November it was evident that it would not go into effect at all. It was universally condemned and made impossible of application. There was instant protest from the colonial assemblies so soon as it was known that the Act was passed: and the assembly of Massachusetts proposed that a congress of delegates from the several colonies be held in October, ere the Act went into effect. to decide what should be done to serve their common interest in the critical matter. The agitations and tumults of that eventful summer were not soon forgot. In August, Boston witnessed an outbreak such as she had never witnessed before. Mr. Andrew Oliver who had been appointed distributer of the stamps there. was burned in effigy; the house in which it was thought the stamps were to be stored was torn down; Mr. Oliver's residence was broken into and many of its furnishings were destroyed. He hastily resigned his obnoxious office. Mobs then plundered the house of the deputy registrar of the court of admiralty, destroying his private papers and the records and files of the court. -because the new acts of trade and taxation gave new powers to that court. The house of the comp-

troller of customs was sacked. Mr. Thomas Hutchinson, the lieutenant-governor of the colony, found him-



John Diffensoy

JOHN DICKINSON

self obliged, on the night of the 26th, to flee for his life; and returned when order was restored to find his home stripped of everything it contained, including nine hundred pounds sterling in money, and manu-

scripts and books which he had been thirty years collecting. Only the walls and floors of the house remained.



Tho. Histchimon THOMAS HUTCHINSON

There was no violence elsewhere to equal this in Boston. There was tumult everywhere, but in most places the mobs contented themselves with burning the stamp agents in effigy and frightening them into the instant relinquishment of their offices. Not until

the autumn came, and the day for the application of the Act, did they show a serious temper again. Then New York also saw a house sacked and its furniture used to feed a bonfire. The people insisted upon having the stamps handed over to their own city officers; and when more came they seized and burned them. At Philadelphia many Quakers and Church of England



THOMAS HUTCHINSON'S MANSION, BOSTON

men, and some Baptists, made as if they would have obeyed the Act; but the mobs saw to it that they should not have the chance. The stamp distributer was compelled to resign, and there was no one from whom stamps could be obtained. Stamp distributers who would not resign found it best to seek safety in flight. There was no one in all the colonies, north or south, who had authority to distribute the hated pieces of stamped paper which the ministers had expected would so conveniently yield them a modest revenue for their colonial expenses. There was a little confusion and

inconvenience for a time. The courts hesitated to transact business without affixing the stamps required to their written pleadings; it seemed imprudent to send ships out without stamps on their clearance papers; business men doubted what would come of using no stamps in their transactions. But the hesitation did not last long. Business was presently going forward, in court and out, as before, and never a stamp used!

It was singular and significant how immediately and how easily the colonies drew together to meet the common danger and express a common purpose. Early in October the congress which Massachusetts had asked for came together at New York, the delegates of nine colonies attending. It drew up and sent over sea a statement of the right of the colonies to tax and govern themselves,—as loval to the King, but not as subject to Parliament,—which arrested the attention of the world. Mr. Grenville and his colleagues were just then, by a fortunate turn of politics at home, most opportunely obliged to resign, and gave place to the moderate Whigs who followed Lord Rockingham (July, 1765), and who thought the protests of the colonies not unreasonable. On the 18th of March, 1766, accordingly. the Stamp Act was repealed,—within a year of its enactment. It was at the same time declared, however, by special declaratory act, that Parliament had sovereign right to tax the colonies, and legislate for them, if it pleased. It was out of grace and good policy, the ministers declared, that the tax was withdrawn; a concession. not of right, but of good feeling; and everybody knew that it was done as much because the London merchants were frightened by the resolution of the American

¹ See page 318,

STAMP-OFFICE,

Lincoln's-Inn, 1765.

Of the Prices of Parchment and Paper for the Service of America.

Parchment.

Paper.

Skins 18 Inch. by 13, at Four pence 18 Inch. by 13, at Four pence
22 — by 16, at Six-pence
26 — by 20, at Eight-pence
28 — by 23, at Ten pence
31 — by 26, at Thintesn-pence

Horn at Seven-pence Fools Cap at Nine-pence each. Do with printed Notices) at for Indentures Folio Poft at One Shilling
Demy—at Two Shillings
Medium at Three Shillings Royal -- at Four Shillings

Super Royal at Six Shillings

Paper for Printing

News. .

Almanacks.

Double Crown at 145.] each Ream.

. . Book-Crown Paper at 10s. 6d. Book - Fools Cap at 6s. 6d. each Ream. Sheet-Demy at 13 s.

merchants to take no cargoes under the tax as because the colonies had declined to submit. But the results were none the less salutary. The rejoicings in Amer-



Rockingham LORD ROCKINGHAM

ica were as boisterous and as universal as had been the tempest of resentment.

But that was not the end of the matter. The Stamp Act had suddenly brought to light and consciousness





principles and passions not likely to be again submerged. and which it was worth the while of statesmen over sea to look into very carefully. Some there were in England who understood them well enough. Mr. John Adams used to say, long afterwards, that the trouble seemed to him to have begun, not in 1765, but in 1761. It was in that year that all the colonies, north and south, had heard of what James Otis had said in the chief court of the province at Boston against the general warrants, the sweeping writs of assistance. for which the customs officers of the crown had asked. to enable them to search as they pleased for goods brought in from foreign parts in defiance of the acts of trade. The writs were not new, and Mr. Otis's protest had not put a stop to their issue. It had proved of no avail to say, as he did, that they were an intolerable invasion of individual right, flat violations of principles of law which had become a part of the very constitution of the realm, and that even an act of Parliament could not legalize them. But all the colonies had noted that hot contest in the court at Boston, because Mr. Otis had spoken with a singular eloquence which quickened men's pulses and irresistibly swung their minds into the current of his own thought, and because it had made them more sharply aware than before of what the ministers at home were doing to fix upon the colonies the direct power of the government over sea. These writs of assistance gave the officers who held them authority to search any place they pleased for smuggled goods, whether private residence or public store-house, with or without reasonable ground of suspicion, and meant that the government had at last seriously determined, at whatever cost, to break up

1 See page 323.

the trade with the West Indies and the Spanish Main. Presently armed cutters were put on the coasts the more effectually to stop it. A vice-admiralty court was set up to condemn the cargoes seized, without a jury. The duties were to be rigorously collected and the trade broken up, for the sake of the sugar growers



IAMES OTIS

of the British West Indies and merchants in London.

If New England could no longer send her horses. cattle. lumber. casks, and fish to the French islands and the Spanish Main, and bring thence, in exchange for them, sugar and molasses, she must let her ships rot at the wharves and five thousand of her seamen go idle and starve: must seek elsewhere for a mar-

ket for her chief products; could make no more rum with which to carry on her home trade in spirits or her traffic in slaves on the slave coast; must forego her profits at the southern ports, and go without the convenient bills drawn on exported Virginian tobacco wherewith she had been used to pay her debts to the London merchants. For thirty years and more it had been under-

stood that the duties on that trade were not to be collected; but now, of a sudden, the law was to be carried out by armed vessels, writs of general search, and the summary proceedings of a court of admiralty. In 1764 Mr. Grenville had drawn the lines tighter than ever by

a readjustment of duties. That meant ruin: and the Stamp Act was but the last touch of exasperation. The disposition of the ministers seemed all the more obvious because of the obnoxious "Quartering Act" which went along with the Stamp Act. They were authorized by Parliament to quarter troops in the colonies, and by special enactment the colonists were required to provide the troops with lodgings, firewood, bedding, drink, soap, and candles.

There were other causes of irritation which touched the colonists almost as



STAMPS FORCED ON THE COLONIES

nearly.¹ In 1740 the Massachusetts assembly had set up a Land Bank authorized to issue notes based upon nothing but mortgages on land and personal bonds, with surety, given by those who subscribed to its support, and Parliament, at the solicitation of Boston men who knew what certain disaster such a bank would bring upon the business of the colony, had

thrust in its hand and suppressed it. The scheme had been in great favor among the men of the country districts, and its suppression by direct act of Parliament had stirred them to a deep resentment. "The Act to destroy the Land Bank scheme." John Adams declared, had "raised a greater ferment in the province than the Stamp Act did"; and it made the men who had resented it all the readier to take fire at the imposition of the stamp duties. The churches of the province had been deeply alarmed, too, by the effort of English churchmen to establish bishops in America, as if in preparation for a full Establishment: and the clergy were, almost to a man, suspicious of the government. The lumbermen of the forests felt the constant irritation of the crown's claim to all their best sticks of timber for the royal navy, and were themselves fit fuel for agitation. Each class seemed to have its special reason for looking askance at everything that savored of control from over sea. The measures taken against the trade with the Indies were but the latest item in a growing account.

Massachusetts and the greater trading ports of the south felt the burden of the new policy more than the rest of the country felt it; but thoughtful men everywhere saw what it portended that Parliament should thus lay its hand directly upon the colonies to tax, and in some sort to govern, them. Quite as many men could tell you of the "parson's case," tried in quiet Hanover Court House in rural Virginia, as could tell you of Mr. Otis's speech against the writs of assistance. It meant that the authorities in London were thrusting their hands into the affairs of Virginia just as they were thrusting them into the affairs of Massachusetts.



Parson Maury had in that case set up an Order in Council by the ministers at home against an act of the Virginian House of Burgesses determining the value of the currency in which his salary was to be paid, and young Patrick Henry had sprung into sudden fame by declaring to the court very boldly against him that the crown had no right to override the self-government of Virginia.

The eloquence of that famous speech carried the young advocate to the House of Burgesses itself; and it was he who showed the colonies how to speak of the Stamp Act. The burgesses were in session when the news of that hateful law's enactment reached Virginia. The young member waited patiently for the older members of the House to show the way in the new crisis,— Randolph and Pendleton and Nicholas, Richard Bland and George Wythe, - the men who had framed so weighty a protest and warning and sent so strong a remonstrance over sea only last year against this very measure. But when he saw that they would not lead. he sprang to the task himself, plain, country-bred though he was, and unschooled in that leadership; scribbled his resolutions on the fly-leaf of an old law-book, and carried them with a rush of eloquence that startled and swept the House, and set the tone for all the country.

His resolutions not only declared the right of the colonies to tax themselves to be exclusive, and established beyond recall; they also declared that Virginians were not bound to obey the Parliament when it acted thus against established privilege, and that any one who should advocate obedience was an enemy to the colony. The sober second thought of the burgesses cut that defiant conclusion out at last,—after Mr. Henry

had gone home; but the resolutions had already been sent post-haste through the colonies in their first form,



George Wythe

GEORGE WYTHE

unrevised and unsoftened, and had touched the feeling of every one who read them like a flame of fire. They were the first word of revolution; and no man ever thought just the same again after he had read them.

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It seemed a strange defiance, no doubt, to come from loyal Virginia. The Stamp Act was not, in fact, oppressive or unreasonable. Why should it so kindle the anger of the colonies that the sovereign Parliament. which had for many a day levied indirect charges upon them by means of the many acts concerning trade and manufactures, now laid a moderate direct tax upon them, the proceeds of which were to be spent upon their own protection and administration? Because, though it might be the sovereign legislature of the empire. Parliament was not in their view the direct sovereign legislature of America. No one could truly say that Parliament had been the sovereign power even of England before 1688, that notable year in which it had, by a revolution, changed the succession to the throne and begun the making and unmaking of governments. The colonies had most of them been set up before that momentous year of change, while the Parliament was still only a body of representatives associated with the crown, with the right to criticise and restrain it, but with no right to usurp its prerogatives: entitled to be consulted, but not licensed to rule. The King, not the Parliament, had chartered the colonies; and they conceived their assemblies to be associated with him as Parliament itself had been in the older days before the Revolution of 1688: to vote him grants. assent to taxation, and with his consent make the laws they were to live under. He stood, they thought, in the same relation to all the legislatures of his realm: to the Parliament in England and to the assemblies in America. It was the fundamental principle of the English constitution, as all agreed, that the King's subjects should be associated with him in government

by representation; and, since the Americans could not be represented in Parliament, and were, by his own authority, represented in local assemblies, he must deal with them, not through Parliament, but through those assemblies.

The law of their view was not very sound or clear: but the common-sense of it was unassailable; and it rested upon unquestionable and long-standing practice. that best foundation of institutions. Their governments were no doubt, in law, subject to the government of Great Britain. Whoever ruled there had the legal right to rule in the colonies also, whether it were the King independent of Parliament, or the ministers dependent upon Parliament. The revolution of 1688 had radically altered the character of the whole structure, and perhaps the colonies could not, in strict constitutional theory, decline their logical part in the change. But no man in America had ever seen that revolution cross the seas. English statesmen might have changed their views, but the colonies had not changed theirs, nor the practice of their governments either. Their governments were from of old, and they meant to keep them intact and uncorrupted. They did not object to the amount or to the form of the tax; they objected only that they had not themselves imposed it. They dissented utterly from the opinion that Parliament had the right to tax them at all. It was that principle, and not the tax itself, which moved them so deeply.

English statesmen claimed that the colonists were as much represented in Parliament as the thousands of Englishmen in England who did not have the right to vote for members of the Commons; and no doubt they were. The franchise was narrow in England,

and not the whole population but only a few out of some classes of the people were actually represented in the Houses. Were not the interests represented there which America stood for? Perhaps so. But why govern the colonies through these remote and theoretical representatives when they had, and had always had, immediate and actual representatives of their own in their assemblies,—as ready and accessible an instrument of government as the House of Commons itself? The colonists were accustomed to actual representation, had for a century and more been dealt with by means of it, and were not willing now to reverse their history and become, instead of veritable states, merely detached and dependent pieces of England. This was the fire of principle which the Stamp Act kindled.

And, once kindled, it burned with an increasing flame. Within ten years it had been blown to the full blaze of revolution. Mr. Grenville had not lost his power because he had set the colonies aflame by his hated Stamp Act, but merely because the King intensely disliked his tedious manners, and resented the dictatorial tone used by the ministers in all their dealings with himself. The Marquis of Rockingham and the group of moderate Whigs who stood with him in the new ministry of July, 1765, had repealed the stamp tax, not because they deemed it wrong in legal principle. but because it had bred resistance, had made the colonists resolve not to buy goods of English merchants. or even pay the debts of £4,000,000 sterling already incurred in their business with them,—because they deemed it wise to yield, and so quiet disorders over sea. Their power lasted only a single year. The King liked their liberal principles as little as he liked

Grenville's offensive manners, and in August, 1766, dismissed them, to substitute a ministry under William Pitt, now made Earl of Chatham. Had Pitt retained his mastery, all might have gone well; but his health failed, his leadership became a mere form, real power fell to other men with no wide, perceiving vision like his own, and America was presently put once again in revolutionary mood.

Pitt had said that the colonists were right when they resisted the Stamp Act: that Parliament could lawfully impose duties on commerce, and keep, if it would, an absolute monopoly of trade for the English merchants, because such matters were of the empire and not merely of America; but that the Americans were justified in resisting measures of internal taxation and government, their charters and accustomed liberties no doubt giving them in such matters constitutions of their own. Mr. Burke, whose genius made him the spokesman of the Rockingham Whigs, whether they would or no, had said very vehemently, and with that singular eloquence of his of which only his own words know the tone, that he cared not at all what legal rights might be involved; it was a question of government and of good-will between a king and his subjects; and he would not support any measure, upon whatever right it might be founded, which led to irritation and not to obedience. The new ministry of the Earl of Chatham acted upon its chief's principles, and not upon Mr. Burke's,—though they acted rashly because that consummate chief did not lead them. They proceeded (June, 1767), after the great earl's illness had laid him by, to put upon the statute book two acts for the regulation of colonial trade and the government of the colonies which Charles Townshend, their Chancellor of the Exchequer, had drawn. The first provided for the more effectual enforcement of the acts of trade already in existence; the second imposed duties on wine, oil, lead, glass, paper, painters' colors, and tea carried to the colonies, and explicitly legalized the use of the hated general search - warrants known as "writs of assistance." The revenues raised by these duties were to be applied, as the stamp tax would have been had it been collected, to the support of the courts of justice and of the civil establishments of the several colonies, and to the expenses connected with their military defence. Evasions of the revenue acts were to be tried by the admiralty courts without juries.

To the colonists this seemed simply a return to the policy of the Stamp Act. The tax was different, but the object was the same: to make their judges and their governors independent of them, and to compel them to pay for the maintenance of troops not of their own raising. These same ministers had suspended the legislative power of the New York assembly because it refused to make proper provision for the quartering of the King's troops, as commanded by the act of 1765; and that assembly had felt itself obliged to yield and obey. Several companies of royal artillery had been sent to Boston in the autumn of 1766, and were quartered there at the colony's expense by order of the governor and council.

The new taxes were laid upon trade, and they could not be attacked on the same grounds upon which the stamps had been objected to. But the trouble was that the new taxes, unlike the old restrictions, were to be enforced, evasion prevented. Mr. Townshend's

¹ See page 331.

first act was to send commissioners to America specially charged and empowered to see to that. The ruinous



GEORGE WASHINGTON, 1772

acts of 1764 were to be carried out, and the West India trade, by which Boston merchants and ship owners lived, put a stop to. These were bitter things to endure. Some grounds must be found from which to

fight them, — if not the arguments used against the Stamp Act, then others, if need be more radical. The ministers at home had set their far-away subjects to thinking with the eagerness and uneasiness of those who seek by some means to defend their liberties, and were fast making rebels of them.

Even in the midst of the universal rejoicings over the repeal of the Stamp Act the temper of several of the colonial assemblies had risen at reading the "Declaratory Act"1 which accompanied the repeal, and which asserted the absolute legal right of Parliament "to bind the colonies in all cases whatsoever," They had declared very flatly then that Parliament had no legal authority whatever in America except such as it might exercise by the consent of the colonial assemblies. -so far had their thought and their defiant purpose advanced within the year. There were conservative men in the colonies as well as radical, men who hated revolution and loved the just and sober ways of law: and there was as strong a sentiment of loyalty on one side the sea as on the other. But even conservative men dreaded to see Parliament undertake to break down the independence of America. Mr. Thomas Hutchinson, of Massachusetts, whose house the rioters in Boston had wantonly looted when they were mad against the Stamp Act, had been born and bred in the colony, and loved her welfare as honestly as any man; but he was lieutenant-governor, an officer of the crown, and would have deemed it dishonor not to uphold the authority he represented. Mr. Otis, on the other hand, had resigned his office as Advocate General under the crown to resist the writs of assistance. The publicspirited gentlemen who had opposed Mr. Henry's fiery

1 See page 329.

resolutions in the Virginian House of Burgesses did not fear usurpation or hate tyranny less than he; but they loved the slow processes of argument and protest and strictly legal opposition more than he did, and were patient enough to keep within bounds. They feared to shake an empire by pursuing a right too impetuously. Men of every temper and of every counsel made up the various people of the colonies, and there were men of equal patriotism on both sides of the rising quarrel.

And yet the most moderate and slow-tempered grew uneasy at Mr. Townshend's measures. Mr. John Dickinson, of Pennsylvania, wrote and published a series of letters,—Letters of a Pennsylvania Farmer, he called them,—which stated as pointedly, as boldly, as earnestly as any man could wish, the constitutional rights of self-government which the colonists cherished and thought imperilled by the new acts of Parliament,—and yet Mr. Dickinson was as steady a loyalist as any man in America, as little likely to countenance rebellion, as well worth heeding by those who wished to compose matters by wise and moderate counsels. His firm-spoken protests were, in fact, read and pondered on both sides the water (1767), and no one could easily mistake their significance.

The action of the people gave only too grave an emphasis to what their more self-restrained and thoughtful leaders said. Mr. Townshend's acts were as openly resisted as Mr. Grenville's had been; and every art of evasion, every trick of infringement, upon occasion even open and forcible violation, set at naught other restrictions of trade as well. It was startling to see how rapidly affairs approached a crisis. Resistance

ϦϦϦϦϦϦϦϦϦϦϦϦϦϦϦϦϦϦϦϦϦϦϦϦϦϦϦϦϦϦ IST of the Names who AUDACIOUSLY continue to counteract the UNIT-ED SENTIMENTS of the BODY of Merchants thro'out NORTH-AMERICA; by importing British Goods contrary to the Agreement. John Bernard, (In King-Street, almost opposite Vernon's Head. Fames McMasters, (On Treat's Wharf. Patrick McMasters, (Opposite the Sign of the Lamb. John Mein, (Opposite the White-Horse, and in King-Street. Nathaniel Rogers, (Opposite Mr. Henderson Inches Store lower End King-Street. William Jackson,
At the Brazen Head, Cornhill, near the Town-House. Theophilus Lillie. (Near Mr. Pemberton's Meeting-House, North-End. John Taylor, (Nearly opposite the Heart and Crown in Cornhill. Ame to Elizabeth Cummings, (Opposite the Old Brick Meeting House, all of Boston. Israel Williams, Esq; & Son, (Traders in the Town of Hatfield. And, Henry Barnes, (Trader in the Town of Marlboro'. The following Names should have been inserted in the List of Justices. County of Middlefex. County of Lincoln. Samuel Hendley John Borland John Kingsbury Henry Barnes Richard Cary County of Berkshire. County of Briftol. Mark Hopkins George Brightman Elijah Dwight County of Worcester, Ifrael Stoddard Daniel Blifa **ႦႹႹ**ჽႱႱႦႱႱႦႱჽႦჽႣჽႣჽჽჽჽჽჽჽჽჽჽჽჽႣႹႹႹႹႹႹ

centred, as trade itself did, at Boston. When Mr. Townshend's commissioners of customs seized the sloop Liberty in Boston harbor for evasion of the duties. rioters drove them to the fort for shelter, and they sent hastily to England for more troops. The Massachusetts assembly, under the masterful leadership of Mr. Samuel Adams, protested that the measures of the new ministry were in violation of colonial rights, and protested in terms which, though dignified and respectful enough, were unmistakably imperative.

The leadership of Samuel Adams was itself a sign of the times. He was a man of the people, passionate in his assertion of rights, and likely to stir and increase passion in those for whom he spoke. Subtle, a born politician: bold, a born leader of men, in assembly or in the street, he was the sort of man and orator whose ascendency may mean revolution almost when he chooses. The assembly, at his suggestion, went beyond the ordinary bounds of protest and sent a circular letter¹ to the other colonies, as if to invite a comparison of views and a general acquiescence in the course of settled opposition it had itself adopted. When the ministers in London demanded a withdrawal of the letter, the assembly of course refused, and the other colonies were more than ever inclined to stand by the stout Bay Colony at whose capital port the fight centred. The ministers, in their desperate purpose to compel submission, declared their intention to remove to England for trial any one who should be charged with treason,—under an almost forgotten statute passed long before Jamestown was settled or English colonies dreamed of in America. That roused the Virginian House of Burgesses once more. They declared, with a sort ¹ See page 336.

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of quiet passion, in their session of 1769, that no one but their own assemblies had a right to tax the colonies; that they had the inalienable right to petition the government at home upon any matter of grievance whatever, and to petition, if they pleased, jointly, as a body of colonies united in right and interest; and that any attempt to try a colonist for crime anywhere except in the courts of his own colony and by known course of law was "highly derogatory of the right of British subjects," and not for a moment to be deemed within the lawful power of the crown. There was no need this time for Mr. Henry. All men were now of the same opinion in Virginia, and the action was unanimous.

The Virginian governor at once dissolved the Burgesses; but the members came together again almost immediately at a private house; and there Colonel Washington, whom all the English world had known since Braddock's day, proposed a general agreement to import no goods at all upon which a tax was laid,—to see what effect it would have if the English tradesmen and manufacturers who looked to America for a market were starved into a true appreciation of the situation and of the state of opinion among their customers. Many of the other colonies followed suit. Trade with England for a few months almost stood still, and there was quick distress and panic among those interested over sea. They promptly demanded of Parliament that the new taxes be taken off and trade allowed to live again. The ministers yielded (April, 1770), except with regard to the tax on tea. That was the least of the taxes, and the King himself positively commanded that it be retained, to save the principle of the bill and show that Parliament had not reconsidered its

right to tax. The taxes had yielded nothing: the single tax on tea would serve to assert a right without the rest.

Meanwhile a very ominous thing had happened in Boston,—though the ministers had not yet heard of

The true Sons of Liberty

And Supporters of the Non-Importation Agreement,

ARE determined to refent any the least Insult or Menace offer'd to any one or more of the several Committees appointed by the Body at Faneuil-Hall, and chastise any one or more of them as they deserve; and will also support the Printers in any Thing the Committees shall desire them to print.

affront as aforesaid, upon fure Information given, one of these Advertisements will be posted up at the Door or Dwelling-House of the Offender.

HAND-BILL OF TRUE SONS OF LIBERTY

it when the bill passed to repeal the taxes. Upon an evening in March, 1770, a mob had attacked a squad of the King's redcoats in King Street, pelting them with sharp pieces of ice and whatever else they could lay their hands on, and daring them derisively to fire;





A MONUMENTAL INSCRIPTION

ON THE

Fifth of March.

Togriber with a tow 17855

On the Enlargement of

EBENEZER RICHARDSON,

Car selve Marrie

WAKE my drowly Thoughts I Awake my mule!
Awake O earth, and tremble at the news!
In grand defiance to the laws of God,
The Guilty, Guilty murd'rer walks abroad.
That city mourns, (the cry comes from the ground,
Where law and juffice never can be found:

? March the little, 17"0

O MURD'RER! RICHARDSON! with their latest breath

O MINA AUGISTICK

Of those who hinder justice from its place,

A CHILDREN will count when when went to very my the rety

That you would foon be hung with mw made Ropes; But Heaven's laws will fland when KINGS shall die. Yet you e'er long may meet with HELL's dark shore. You were not hung "by reason of old Lines," Old Lines thrown by, 'twas then we were in hopes, There drop a tear, and think what you have done Remember, Selder's corps lies mould'ring there; To yonder grave! with trembling joints repair, Oh! Wretched man! the monfter of the times, Of Murder! Murder! haunt vou 'till you die! Then judge how you can live beneath the Sun. For SEIDER's blood ! But GOD is ever nigh, The -- Bridge of Tories, it has borne you o'er Tho' Cufbing's eas'd you from the prison gate Tho' they're excus'd by judges here below." A PARDON may arrive! You laws defiv, You are enlarg'd but curfed is your fate But neither Ropes nor Lines, will satisfiv And guilty fouls will not unpunish'd go Machinations of anful, dofiguing wretches, TAS TR PICHARD ON, Informer, Who would ENSLAVE THIS People, HRISTOPHER SEIDER, I rear may AMFRICA be preferved, I of the a Rounness Cafe Let THEST things be told to Posterity! From weak and wicked monarchs, . Are like sear ! sailed guility . I wont the Spenor Court, · NE * * FIDIN 1772, Their Underlings and Hirelings ! ". Consention to Generation, I. . I me thall be no more! The Mappetry War to CHAND IN STITE Remains INHARINED 111 Wife it and, at requeft, The Court Red or Spire Abandoned Governors. S O STREET SEC. 8 Tyrannical Miniflers, As ! handed down And may the Come to an end,

THE MASSACRE HAND-BILL

Rulers,

For a SOUTRGE to Tyrannical

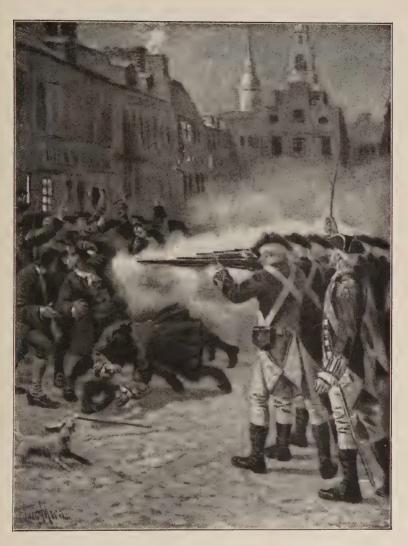
Remain F R E E.

Let their NAMES and MEMORIES

Be buried in eternal oblivion,

And the PRESS.





THE BOSTON MASSACRE

and the troops had fired, being hard pressed and maddened. Five of the mob were killed and six wounded, and a thrill of indignation and horror went through the excited town. The next day a great meeting in Faneuil Hall sent a committee to Mr. Hutchinson, the governor, to demand the instant withdrawal of the troops. Samuel Adams headed the committee, imperious and on fire; told the governor, in the council chamber where they met, that he spoke in the name of three thousand freemen who counted upon being heeded; and won his point. The troops were withdrawn to an island in the bay. The town had hated their "lobster backs" for all the year and a half they had been there, and rejoiced and was quiet when they withdrew.

But quiet could not last long. The flame was sure somewhere to burst out again whenever any incident for a moment stirred excitement. In North Carolina there was the next year a sudden blaze of open rebellion against the extravagant exactions of William Tryon, the adventurer who was royal governor there; and only blood extinguished it (1771). In Rhode Island, in June, 1772, his Majesty's armed schooner Gaspee was taken by assault and burned, upon a spit of land where she lay aground. It had been her business to watch against infringements of the navigation laws and the vexatious acts of trade: her commander had grown exceptionally insolent in his work; a sloop which he chased had led him on to the spit, where his schooner stuck fast; and the provincials took advantage of her helplessness to burn her. No one could be found who would inform on those who had done the bold thing: the courageous chief-justice of the little province flatly



AFTER THE MASSACRE. SAMUEL ADAMS DEMANDING OF GOVERNOR HUTCH-INSON THE INSTANT WITHDRAWAL OF BRITISH TROOPS VOL. III.—12

denied the right of the English authorities to order the perpetrators to England for trial; and the royal commission which was appointed to look into the whole affair stirred all the colonies once more to a deep irritation. The far-away House of Burgesses in Virginia very promptly spoke its mind again. It invited the several colonies to join Virginia in forming com-



INTERIOR OF COUNCIL CHAMBER, OLD STATE HOUSE, BOSTON

mittees of correspondence, in order that all might be of one mind and ready for one action against the aggressions of the government in England. The ministers in London had meantime resolved to pay the provincial judges, at any rate in Massachusetts, out of the English treasury, taxes or no taxes; and the Massachusetts towns had formed committees of correspondence of their own, as Mr. Adams bade.

Such were the signs of the times when the final test

came of the tax on tea. The East India Company was in straits for money. It had to pay twelvepence into the royal treasury on every pound of tea it imported, whether it sold it in England or not; but the

B O S T O N, December 2, 1773.

HEREAS it has been reported that a Permit will be given by the Custom-House for Landing the Fea now on Board a Vessel laying in this Harbour, commanded by Capt. HALL: THIS is to Remind the Publick, That it was folemnly voted by the Body of the People of this and the neighbouring Towns assembled at the Old-South Meeting-House on Tuessay the 30th Day of November, that the said Fea never should be landed in this Province, or pay one Farthing of Duty: And as the aiding or assisting in procuring or granting any such Permit for landing the said Tea or any other Tea so circumstanced, or in offering any Permit when obtained to the Master or Commander of the said Ship, or any other Ship in the same Situation, must betray an inhuman Thirst for Blood, and will also in a great Measure accelerate Confusion and Civil War: This is to assure such public Enemies of this Country, that they will be considered and treated as Wretches unworthy to live, and will be made the sirst Victims of our just Resentment.

The PEOPLE.

N. B. Captain Bence is arrived laden with the same detestable Commodity; and its peremptorily demanded of him, and all concerned, that they comply with the same Requisitions.

PROTEST AGAINST THE LANDING OF TEA

government there offered to relieve it of that tax on every pound it carried on to America, and exact only the threepence to be paid at the colonial ports under Mr. Townshend's act: so willing were the King's ministers to help the Company, and so anxious also to test

the act and the submissiveness of the colonists. The test was soon made. The colonists had managed to smuggle in from Holland most of the tea they needed; and they wanted none, under the circumstances, from

1773 Deve 17 th last Night 3 Gargoes of Backes
The were emplied into the Sea! This Morn,
ing a Man of Who Sails. —
This is the most magnificant Movement of all.

ENTRY JOHN ADAMS'S DIARY

the East India ships,—even though it cost less, with the twelvepence tax off, than the smuggled tea obtained of the Dutch. The East India Company promptly sent tea-laden ships to Boston, New York, Philadelphia, and Charleston; and in the autumn of 1773 they began to come in. In Boston a quiet mob, disguised as Indians, threw the chests overboard into the harbor.¹ At New York and Philadelphia the ships were "permitted" to leave port again without landing their cargoes. At

Monday Morning, December 27, 1772.

THE TEA-SHIP being arrived, every Inhabitant, who wishes to preferve the Liberty of America, is defined to niect at the STALE-House, This Morning, precifely at TFN-o'Clock, to advise what is best to be done on this alarming Criss.

CALL FOR MEETING TO PROTEST AGAINST THE LANDING OF TEA

Charleston the tea was landed, but it was stored, not sold, and a public meeting saw to its secure bestowal. The experiment had failed. America was evidently of one mind, and had determined not to buy tea or any
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THE BOSTON TEA PARTY

thing else with a parliamentary tax on it. The colonists would no more submit to Mr. Townshend's tax than to Mr. Grenville's, whatever the legal difference between them might be, either in principle or in operation. The issue was squarely made up: the colonies would not obey the Parliament,—would be governed only through their own assemblies. If the ministers persisted, there must be revolution.

Here the leading general authorities are the histories of Bancroft, Hildreth, and Bryant; but to these we now add David Ramsay's History of the American Revolution; the fourth volume of James Grahame's excellent History of the Rise and Progress of the United States of North America from their Colonization till the Declaration of Independence: Thomas Hutchinson's History of Massachusetts, one of the most valuable of the contemporary authorities; John S. Barry's History of Massachusetts; John Fiske's American Revolution: Mellen Chamberlain's The Revolution Impending, in the sixth volume of Winsor's Narrative and Critical History of America; the twelfth chapter of W. E. H. Lecky's History of England in the Eighteenth Century; Sir J. R. Seeley's Expansion of England; Richard Frothingham's Rise of the Republic of the United States; Mr. Edward Channing's United States of America, 1765-1865; Mr. Henry Cabot Lodge's Short History of the English Colonies in America; Mr. Horace E. Scudder's Men and Manners in America One Hundred Years Ago: Moses Coit Tyler's Life of Patrick Henry; Mr. Horace Gray's important discussion of Otis's speech against the writs of assistance, in the Appendix to Quincy's Reports of Massachusetts Bay, 1761-1772: Moses Coit Tyler's Literary History of the American Revolution: F. B. Dexter's Estimates of Population, in the Proceedings of the American Antiquarian Society; and the Lives of the leading American and English statesmen of the time, notably the invaluable series of brief biographies known as The American Statesmen Series.

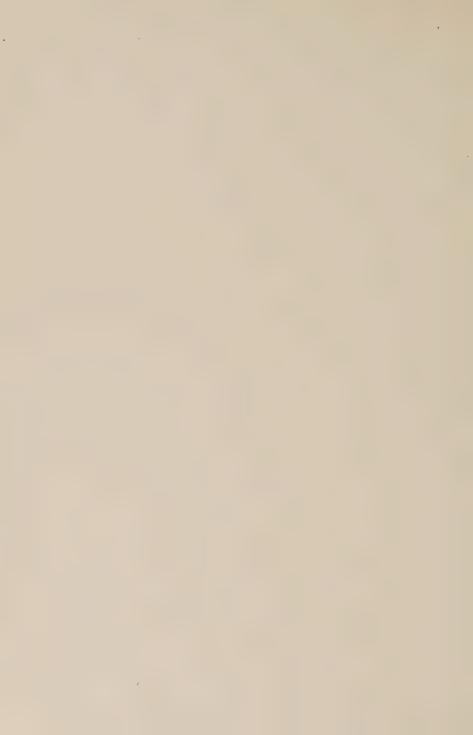
Abundant contemporary material may be found in the published letters, papers, and speeches of American and English public men of the time, especially in the pamphlets of such men as James Otis, Richard Bland, Stephen Hopkins, John Adams, Samuel Adams, John Dickinson, and their confrères; in Franklin's Auto-

biography; Andrew Burnaby's Travels through the Middle Settlements in North America, in the Years 1759 and 1760; Ann Maury's Memoirs of a Huguenot Family; and Hezekiah Niles's Principles and Acts of the Revolution in America.

Lists of the authorities on the several colonies during these years may be found in Edward Channing and Albert Bushnell Hart's very convenient and careful little Guide to American History.



PART II ORIGINAL DOCUMENTS 1608–1773



Founding of Quebec by Champlain, 1608

Samuel de Champlain made his first voyage to Canada with Pontgravé in 1603, and journeyed as far as Montreal. His second voyage was to Nova Scotia. In 1608 he made a third voyage especially to establish a French settlement on the St. Lawrence, and on this occasion he founded the city of Quebec. The following narrative extracts are from the "Voyages" of Champlain, as translated and reprinted in "Old South Leaflet," No. 91. (See page 6.1)

I proceeded to Honfleur for embarkation, where I found the vessel of Pont Gravé in readiness. He left port on the 5th of April. I did so on the 13th, arriving at the Grand Bank on the 15th of May, in latitude 45° 15'. On the 26th we sighted Cape St. Mary, in latitude 46° 45', on the Island of Newfoundland. On the 27th of the month we sighted Cape St. Lawrence, on Cape Breton, and also the Island of St. Paul, distant eighty-three leagues from Cape St. Mary. On the 30th we sighted Isle Percée and Gaspé, in latitude 48° 40', distant from Cape St. Lawrence from seventy to seventy-five leagues.

On the 3rd of June we arrived before Tadoussac, distant from Gaspé from eighty to ninety leagues; and we

¹ The final page references in the introductions are to allusion in the History which are explained and illustrated in these documents..

anchored in the roadstead of Tadoussac, a league distant from the harbor, which latter is a kind of cove at the mouth of the river Saguenay, where the tide is very remarkable on account of its rapidity, and where there are sometimes violent winds, bringing severe cold. is maintained that from the harbor of Tadoussac it is some forty-five or fifty leagues to the first fall on this river, which comes from the north-north-west. The harbor is small, and can accommodate only about twenty vessels. It has water enough, and is under shelter of the river Saguenav and a little rocky island, which is almost cut by the river. Elsewhere there are very high mountains, with little soil and only rocks and sand, thickly covered with such wood as fir and birch. There is a small pond near the harbor, shut in by mountains covered with wood. There are two points at the mouth: one on the south-west side, extending out nearly a league into the sea, called Point St. Matthew, or otherwise Point aux Allouettes; and another on the northwest side, extending out one-eighth of a league, and called Point of all Devils, from the dangerous nature of the place. The winds from the south-south-east strike the harbor, which are not to be feared; but those, however, from the Saguenay are. The two points above mentioned are dry at low tide. Our vessel was unable to enter the harbor, as the wind and tide were unfavorable.

Meanwhile I managed to visit some parts of the river Saguenay, a fine river, which has the incredible depth of some one hundred and fifty to two hundred fathoms. About fifty leagues from the mouth of the harbor there is, as is said, a great waterfall, descending from a very high elevation with great impetuosity. There are some islands in this river, very barren, being only rocks covered with small firs and heathers. It is half a league



MONUMENT TO CHAMPLAIN, QUEBEC, 1898

where the current is so strong that at three-quarters flood-tide in the river it is still running out. All the land that I have seen consists only of mountains and rocky promontories, for the most part covered with fir and birch, a very unattractive country on both sides of the river. In a word, it is mere wastes, uninhabited by either animals or birds; for, going out hunting in places which seemed to me the most pleasant, I found only some very small birds, such as swallows and river birds, which go there in summer. At other times there are none whatever, in consequence of the excessive cold. This river flows from the north-west.

I set out from Tadoussac the last day of the month to go to Quebec. We passed near an island called Hare



CHAMPLAIN'S LOST ASTROLABE (Unearthed near North Renfrew)

Island, distant six leagues from the above-named port: it is two leagues from the northern, and nearly four leagues from the southern shore. From Hare Island we proceeded to a little river, dry at low tide, up which some seven hundred or eight hundred paces there are two falls. We named it Salmon River, since we caught some of these fish in it. Coasting along the north shore, we came to a point extending into the river, which we called Cap Dauphin, distant three leagues from Sal-

mon River. Thence we proceeded to another, which we named Eagle Cape, distant eight leagues from Cap

Dauphin. Between the two there is a large bay, at the extremity of which is a little river dry at low tide. From Eagle Cape we proceeded to Isle aux Coudres, a good league distant, which is about a league and a half long. It is nearly level, and grows narrower towards the two ends. On the western side there are meadows, and rocky points extending some distance out into the river. On the south-west side it is very reefy, yet very pleasant in consequence of the woods surrounding it. It is distant about half a league from the northern shore. where is a little river extending some distance into the interior. We named it Rivière du Gouffre, since abreast of it the tide runs with extraordinary rapidity; and, although it has a calm appearance, it is always much agitated, the depth there being great: but the river itself is shallow, and there are many rocks at and about its mouth. Coasting along from Isle aux Coudres, we reached a cape which we named Cap de Tourmente, five leagues distant; and we gave it this name because, however little wind there may be, the water rises there as if it were full tide. At this point the water begins to be fresh. Thence we proceeded to the Island of Orleans, a distance of two leagues, on the south side of which are numerous islands, low, covered with trees and very pleasant, with large meadows, having plenty of game, some being, so far as I could judge, two leagues in length, others a trifle more or less. About these islands are many rocks, also very dangerous shallows, some two leagues distant from the main land on the south. this shore, both north and south, from Tadoussac to the Island of Orleans, is mountainous, and the soil very poor. The wood is pine, fir, and birch only, with very ugly rocks, so that in most places one could not make his way.

Now we passed along south of the Island of Orleans, which is a league and a half distant from the main land and half a league on the north shore, being six leagues

in length, and one in breadth, or in some places a league and a half. On the north side, it is very pleasant, on account of the great extent of woods and meadows there: but it is very dangerous sailing, in consequence of the



ONONDAGA FORT
(From a sketch by Champlain)

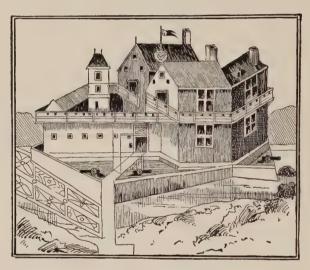
numerous points and rocks between the main land and island, on which are numerous fine oaks and in some places nut-trees, and on the borders of the woods vines and other trees such as we have in France. This place is the commencement of the fine and fertile country of the great river, and is distant one hundred and twenty leagues from its mouth. Off the end of the island is a torrent of water on the north shore, proceeding from a lake ten leagues in the interior. It comes down from a height of nearly twenty-five fathoms, above which the land is level and pleasant, although farther inland are seen high mountains appearing to be from fifteen to twenty leagues distant.

From the Island of Orleans to Quebec the distance is a league. I arrived there on the 3d of July, when I searched for a place suitable for our settlement; but I could find none more convenient or better situated than the point of Quebec, so called by the savages, which was covered with nut-trees. I at once employed a portion of our workmen in cutting them down, that we might construct our habitation there: one I set to sawing boards, another to making a cellar and digging ditches, another I sent to Tadoussac with the barque to get supplies. The first thing we made was the storehouse for keeping under cover our supplies, which was promptly accomplished through the zeal of all, and my attention to the work.

I had the work on our quarters continued, which was composed of three buildings of two stories. Each one was three fathoms long, and two and a half wide. The storehouse was six fathoms long and three wide. with a fine cellar six feet deep. I had a gallery made all around our buildings, on the outside, at the second story, which proved very convenient. There were also ditches, fifteen feet wide and six deep. On the outer side of the ditches I constructed several spurs, which enclosed a part of the dwelling, at the points where we placed our cannon. Before the habitation there is a place four fathoms wide and six or seven long, looking out upon the river-bank. Surrounding the habitation are very good gardens, and a place on the north side some hundred or hundred and twenty paces long and fifty or sixty wide. Moreover, near Quebec, there is a little river, coming from a lake in the interior, distant six or seven leagues from our settlement. I am of opinion that this river, which is north a quarter north-west from our settlement, is the place where Jacques Cartier wintered, since there are still, a league up the river, remains

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of what seems to have been a chimney, the foundation of which has been found, and indications of there having been ditches surrounding their dwelling, which was small. We found, also, large pieces of hewn, wormeaten timber, and some three or four cannon-balls. All these things show clearly that there was a settlement there founded by Christians; and what leads me to say and believe that it was that of Jacques Cartier is the fact



CHAMPLAIN'S HEADQUARTERS AT QUEBEC (From a sketch by Champlain)

that there is no evidence whatever that any one wintered and built a house in these places except Jacques Cartier, at the time of his discoveries. This place, as I think, must have been called St. Croix, as he named it, which name has since been transferred to another place fifteen leagues west of our settlement. But there is no evidence of his having wintered in the place now called St. Croix, nor in any other there, since in this direction there is no river or other place large enough for vessels except

the main river or that of which I spoke above; here there is half a fathom of water at low tide, many rocks, and a bank at the mouth; for vessels, if kept in the main river, where there are strong currents and tides, and ice in the winter, drifting along, would run the risk of being lost; especially as there is a sandy point extending out into the river, and filled with rocks, between which we have found, within the last three years, a passage not before discovered; but one must go through cautiously, in consequence of the dangerous points there. This place is exposed to the north-west winds; and the river runs as if it were a fall, the tide ebbing two and a half fathoms.

Now, throughout the entire extent of this river, from Quebec to the great fall, there are no narrows except at the place now called St. Croix, the name of which has been transferred from one place to another one, which is very dangerous, as my description shows. And it is very apparent, from his narrative, that this was not the site of his habitation, as is claimed, but that the latter was near Quebec, and that no one had entered into a special investigation of this matter before my doing so in my voyages. For the first time I was told that he dwelt in this place, I was greatly astonished, finding no trace of a river for vessels, as he states there was. This led me to make a careful examination, in order to remove the suspicion and doubt of many persons in regard to the matter.

CHAMPLAIN'S DISCOVERY OF THE LAKE WHICH BEARS HIS NAME, 1609

In 1609 Champlain, who had made the Montagnais Indians on the St. Lawrence his friends, marched with them against their enemies, the Iroquois, and thus began the enmity of the Iroquois for the French. They were joined by a party of Hurons and Algonquins, and ascended the Sorel to the Chambly Rapids, whence Champlain proceeded in a canoe and discovered a great lake, and gave it his own name. (See page 8.)

The following extract is from Champlain's "Voy-

ages":

I LEFT the Rapid of the said River of the Iroquois on the 2nd of July. (1609). All the Savages began carrying their canoes, arms and traps over land about a league and a half, to avoid the current and force of

the Rapid. This was quickly effected.

They immediately launched the canoes into the water, two men in each with their bagage, whilst one of the men went by land about a league and a half, which was the probable extent of said Rapid, tho' not so violent as at the foot, except at some points where rocks obstructed the River which is no more than three to four hundred paces wide. After the Rapid was passed, though not without trouble, all the Indians who had gone by land over a pretty good road and level country, though covered with timber, re-embarked in their canoes. My men were also on land and I on the water in a canoe.

They reviewed all their force and found 24 canoes with 60 men. After having completed their review, we continued our journey as far as an Island three leagues long, covered with the finest pines I ever beheld. They hunted and caught some wild animals there. Passing thence about three lengths farther on, we camped in order to rest for the night.

Forthwith some began to cut down timber; others to pull off bark to cover lodges to shelter them; others to fall large trees with which to barricade their lodges on the shore. They know so well how to construct these barricades, that five hundred of their enemies would find considerable difficulty in forcing them in less than two hours, without great loss. They do not fortify the side of the river along which their canoes are ranged, so as to be able to embark should occasion require.

After they had camped, they despatched three canoes with nine good men, as is their custom at all their encampments, to reconnoitre within two or three leagues, if they see anything. After which they retire. They depend the whole night on the exploration of the van guard, which is a bad habit of theirs. For sometimes their enemies surprise them asleep, and kill them without having an opportunity of recovering their feet to

defend themselves.

Remarking that, I remonstrated with them against the error they committed; told them to watch, as they saw us do, all night, and to have out-posts to spy and see if they could perceive anything; and not to live in that style, like cattle. They told me they couldn't watch, and that they laboured all day hunting. So that, when they go to war they divide their force into three—to wit—one party, scattered in divers places, hunting; another forms the main body, which is always under arms; and another party as a van guard, to scout along the river and see whether they will not discover

LES VOYAGES

DV SIEVR DE CHAMPLAIN

XAINTONGEOIS, CAPITAINE ordinaire pour le Roy, en la marine.

DIVISEZ EN DEVX LIVRES.

ou,

AOPRNAL TRES-FIDELE DES OBSERVAtions faites és descounertures de la Nounelle France: tant en la descriptió des terres, costes, rinieres, ports, haures, leurs hauteurs, & plusieurs declinaisons de la guide-aymant, qu'en la creace des peuples, leur supersision façon de viure & de guerroyer enrichi de quantisé de signies.

Ensemble deux cartes geografiques: la premiere servant à la nanigation, dresse es lon les compas qui nordestent, sur lesquels les mariniers nauigent: l'autre en son vray Meridien, aucc ses longitudes & latitudes : à laquelle est adiousté le voyage dudestroict qu'ont trouné les Anglois, au dessus de Labrador, depuis le 53°, degré de latitude, jusques au 63°, en l'an 1612, cerchans yn chemin par le Nord, pour aller à la Chine.



A PARIS,

Chea IEAN BERJON, rue S. Iean de Beauuais, au Cheual volant, & en sa boutique au Palais, à la gallerie des prisonniers.

M. D.C. XIII.

AVEC PRIVILEGE DY ROY.

some trail or mark indicating the passage of friends or enemies. This they ascertain by certain marks the chiefs of one nation give to those of another, which are not always alike; notifying each other from time to time when they alter any. By this means they recog-nize whether those who have passed are friends or enemies. The hunters never hunt in advance of the main body or the scouts, so as not to create any alarm or disorder; but in the rear and in the direction where they do not apprehend enemies. They thus continue until they are two or three days journey from the foe, when they advance stealthily by night, all in a body, except the scouts, and retire by day into the picket fort where they repose, without wandering abroad, making any noise or building a fire, even for cooking during that time, so as not to be discovered, should their enemies happen to pass. The only fire they make is, to smoke. They eat dried Indian meal which they steep in water, like porridge. They prepare this meal for use when they are pinched, and when they are near the enemy, or when retreating; after their attacks they do not amuse themselves hunting, retreating precipitately.

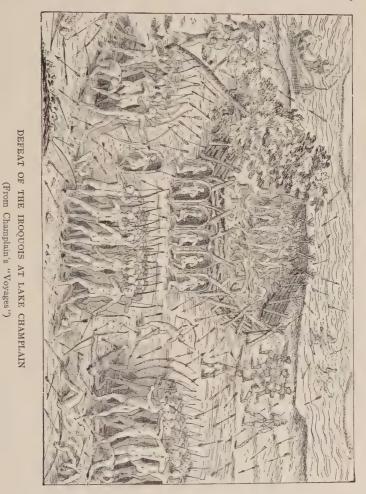
We left next day, continuing our route along the river as far as the mouth of the Lake. Here are a number of beautiful, but low Islands filled with very fine woods and prairies, a quantity of game and wild animals, such as stags, deer, fawns, roebucks, bears, and other sorts of animals that come from the main land to the said islands. We caught a quantity of them. There is also quite a number of Beavers, as well in the river as in several other streams which fall into it. These parts, though agreeable, are not inhabited by any Indians, in consequence of their wars. They retire from the rivers as far as possible, deep into the country.

in order not to be so soon discovered.

Next day we entered the Lake, which is of considerable extent; some 50 or 60 leagues, where I saw 4 beautiful islands 10. 12. and 15 leagues in length, formerly inhabited, as well as the Iroquois river, by Indians, but abandoned since they have been at war the one with the other. Several rivers, also, discharge into the lake, surrounded by a number of fine trees similar to those we have in France, with a quantity of vines handsomer than any I ever saw; a great many chestnuts, and I had not yet seen except the margin of the Lake, where there is a large abundance of fish of divers species. Among the rest there is one called by the Indians of the country Chaousarou, of divers lengths. The largest I was informed by the people, are of eight to ten feet. I saw one of 5, as thick as a thigh, with a head as big as two fists, with jaws two feet and a half long, and a double set of very sharp and dangerous teeth. The form of the body resembles that of the pike, and it is armed with scales that a thrust of a poniard cannot pierce; and is of a silver gray colour. The point of the snout is like that of a hog. This fish makes war on all others in the lakes and rivers and possesses, as those people assure me, a wonderful instinct; which is, that when it wants to catch any birds, it goes among the rushes or reeds. bordering the lake in many places, keeping the beak out of the water without budging, so that when the birds perch on the beak, imagining it a limb of a tree, it is so subtle that closing the jaws which it keeps half open, it draws the birds under water by the feet. The Indians gave me a head of it, which they prize highly, saying, when they have a headache they let blood with the teeth of this fish at the seat of the pain which immediately goes away.

Continuing our route along the west side of the Lake, contemplating the country, I saw on the east side very high mountains capped with Snow. I asked the Indians if those parts were inhabited? They an-

swered me, Yes, and that they were Iroquois, and that there were in those parts beautiful vallies, and fields fertile in corn as good as I had ever eaten in the country,



with an infinitude of other fruits, and that the Lake extended close to the mountains, which were, according to my judgment, 15 leagues from us. I saw others, to

the South, not less high than the former; only, that they were without snow. The Indians told me it was there we were to go to meet their enemies, and that they were thickly inhabited, & that we must pass by a waterfall which I afterwards saw, and thence enter another lake three or four leagues long, and having arrived at its head, there were 4 leagues overland to be travelled to pass to a river which flows towards the coast of the Almouchiquois, tending towards that of the Almouchiquois, and that they were only two days going there in their canoes, as I understand since from some prisoners we took, who, by means of some Algonquin interpreters, who were acquainted with the Iroquois language, conversed freely with me about all they had noticed.

Now, on coming within about two or three days journev of the enemy's quarters, we travelled only by night and rested by day. Nevertheless, they never omitted their usual superstitions to ascertain whether their enterprise would be successful, and often asked me whether I had dreamed and seen their enemies. I answered, no; and encouraged them and gave them good hopes. Night fell, and we continued our journey until morning when we withdrew into the picket fort to pass the remainder of the day there. About ten or eleven o'clock I lav down after having walked some time around our quarters, and falling asleep, I thought I beheld our enemies, the Iroquois, drowning within sight of us in the Lake near a mountain; and being desirous to save them, that our Savage allies told me that I must let them all perish as they were good for nothing. On awaking, they did not omit, as usual to ask me, if I had any dream? I did tell them, in fact, what I had dreamed. It gained such credit among them that they no longer doubted but they should meet with success.

At nightfall we embarked in our Canoes to continue our journey, and as we advanced very softly and noiselessly, we encountered a war party of Iroquois, on the

twenty ninth of the month, about ten o'clock at night, at a point of a Cape which juts into the Lake on the West side. They and we began to shout, each seizing his arms. We withdrew towards the water and the Iroquois repaired on shore, and arranged all their canoes, the one beside the other, and began to hew down trees with villainous axes, which they sometimes got in war, and others of stone, and fortified themselves very securely.

Our party, likewise, kept their canoes arranged the one alongside the other, tied to poles so as not to run adrift, in order to fight all-together should need be. We were on the water about an arrow-shot from their barricades.

When they were armed and in order, they sent two canoes from the fleet to know if their enemies wished to fight, who answered they desired nothing else; but that just then, there was not much light, and that we must wait for day to distinguish each other, and that they would give us battle at sun rise. This was agreed to by our party. Meanwhile the whole night was spent in dancing and singing, as well on one side as on the other, mingled with an infinitude of insults and other taunts, such as the little courage they had; how powerless their resistance against their arms, and that when day would break they should experience this to their ruin. Ours, likewise, did not fail in repartee; telling them they should witness the effects of arms they had never seen before; and a multitude of other speeches, as is usual at a siege of a town. After the one and the other had sung, danced and parliamented enough, day broke. My companions and I were always concealed, for fear the enemy should see us preparing our arms the best we could, being however separated, each in one of the canoes belonging to the savage Montagnars. After being equipped with light armour we took each an arquebus and went ashore. I saw the enemy leave their barricade: they were about 200 men, of strong and robust appearance, who were coming slowly towards us, with a gravity and assurance which greatly pleased me, led on by three Chiefs. Our's were marching in similar order, and told me that those who bore three lofty plumes were the Chiefs, and that there were but these three and they were to be recognized by those plumes, which were considerably larger than those of their companions, and that I must do all I could to kill them. I promised to do what I could, and that I was very sorry they could not clearly understand me, so as to give them the order and plan of attacking their enemies, as we should indubitably defeat them all; but there was no help for that; that I was very glad to encourage them and to manifest to them my good will when we should be engaged.

The moment we landed they began to run about two hundred paces towards their enemies who stood firm, and had not yet perceived my companions, who went into the bush with some savages. Our's commenced calling me in a loud voice, and making way for me opened in two, and placed me at their head, marching about 20 paces in advance, until I was within 30 paces of the enemy. The moment they saw me, they halted gazing at me and I at them. When I saw them preparing to shoot at us, I raised my arquebus, and aiming directly at one of the three Chiefs, two of them fell to the ground by this shot and one of their companions received a wound of which he died afterwards. I had put 4 balls in my arquebus. Our's, on witnessing a shot so favorable for them, set up such tremendous shouts that thunder could not have been heard; and yet, there was no lack of arrows on one side and the other. The Iroquois were greatly astonished seeing two men killed so instantaneously, notwithstanding they were provided with arrow-proof armour woven of cotton-thread and wood; this frightened them very much. Whilst I was

reloading, one of my companions in the bush fired a shot, which so astonished them anew, seeing their Chiefs slain, that they lost courage, took to flight and abandoned the field and their fort, hiding themselves in the depths of the forest, whither pursuing them, I killed some others. Our savages also killed several of them and took ten or twelve prisoners. The rest carried off the wounded. Fifteen or sixteen of ours were wounded by arrows; they were promptly cured.

After having gained the victory, they amused themselves plundering Indian corn and meal from the enemy; also their arms which they had thrown away in order to run the better. And having feasted, danced and sung we returned three hours afterwards with the prisoners.

The place where this battle was fought is in 43 degrees some minutes latitude, and I named it Lake Champlain.

THE DISCOVERY OF THE MISSISSIPPI BY PÈRE MARQUETTE, 1673

It was in 1673 that Father Marquette and Louis Joliet journeyed from Mackinaw to Green Bay, entered Fox River, portaged to the Wisconsin River, and on June 17th reached the mysterious "Mesipe" of the Sioux. They descended the Mississippi to the Arkansas River. It became clear that the great river continued southward to the sea and could not afford that outlet to the westward seas which was sought for so many generations, and they returned, leaving La Salle in 1682 to descend the Mississippi to its mouth. The famous "Relation" of Father Marquette has been utilized by the late Reuben Gold Thwaites and others for popular history. The following extracts from Marquette's "Travels and Discoveries in North America" are from the text in the "Historical Collections of Louisiana," Part 2, Phil., 1850. (See page 6.)

I embarked with M. Joliet, who had been chosen to conduct this enterprise, on the 13th May, 1673, with five other Frenchmen, in two bark canoes. We laid in some Indian corn and smoked beef for our voyage. We first took care, however, to draw from the Indians all the information we could, concerning the countries through which we designed to travel, and drew up a map, on which we marked down the rivers, nations, and points of the compass to guide us in our journey. The first nation we came to was called the Folles-Avoines,

or the nation of wild oats. I entered their river to visit them, as I had preached among them some years before. The wild oats, from which they derive their name, grow spontaneously in their country....

I acquainted them with my design of discovering other nations, to preach to them the mysteries of our holy



REPUTED BUT VERY DOUBTFUL PORTRAIT OF MARQUETTE (From oil portrait by an unknown artist, discovered in Montreal, 1897)

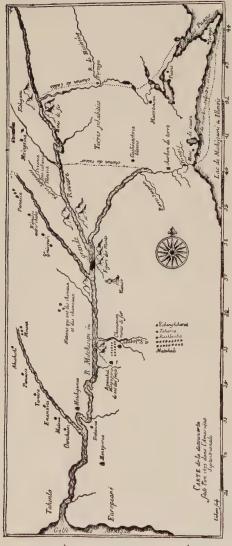
religion, at which they were much surprized, and said all they could do to dissuade me from it. They told me I would meet Indians who spare no strangers, and whom they kill without any provocation or mercy; that the war they have one with the other would expose me to be taken by their warriors, as they are constantly on the look-out to surprize their enemies. That the Great

River was exceedingly dangerous, and full of frightful monsters who devoured men and canoes together, and that the heat was so great that it would positively cause our death. I thanked them for their kind advice, but told them I would not follow it, as the salvation of a great many souls was concerned in our undertaking, for whom I should be glad to lose my life. I added that I defied their monsters, and their information would oblige us to keep more upon our guard to avoid a surprize. And having prayed with them, and given them some instruction, we set out for the Bay of Puan, where our missionaries had been successful in converting them. ... The next day, being the 10th of June, the two guides embarked with us in sight of all the village, who were astonished at our attempting so dangerous an expedition. We were informed that at three leagues from the Maskoutens, we should find a river which runs into the Mississippi, and that we were to go to the westsouth-west to find it, but there were so many marshes and lakes, that if it had not been for our guides we could not have found it. . . .

Before embarking we all offered up prayers to the Holy Virgin, which we continued to do every morning, placing ourselves and the events of the journey under her protection, and after having encouraged each other, we got into our canoes. The river upon which we embarked is called Mesconsin; the river is very wide, but the sand bars make it very difficult to navigate, which is increased by numerous islands covered with grape-vines. The country through which it flows is beautiful; the groves are so dispersed in the prairies that it makes a noble prospect; and the fruit of the trees shows a fertile soil. These groves are full of walnut, oak, and other trees unknown to us in Europe. We saw neither game nor fish, but roebuck and buffaloes in great numbers. After having navigated thirty leagues we discovered some iron mines, and one of our



company who had seen such mines before, said these were very rich in ore. They are covered with about



MARQUETTE'S MAP, AS GIVEN IN THÈVENOT

three feet of soil, and situate near a chain of rocks, whose base is covered with fine timber. After having rowed ten leagues farther, making forty leagues from the place where we had embarked, we came into the Mississippi on the 17th of June.

The mouth of the Mesconsin is in about 42½° N. lat. Behold us, then, upon this celebrated river, whose singularities I have attentively studied. The Mississippi takes its rise in several lakes in the North. Its channel is very narrow at the mouth of the Mesconsin, and runs south until it is affected by very high hills. Its current is slow, because of its depth. In sounding we found nineteen fathoms of water. A little further on it widens nearly three-quarters of a league, and the width continues to be more equal. We slowly followed its course to the south and southeast to the 42° N. lat. Here we perceived the country change its appearance. There were scarcely any more woods or mountains. The islands are covered with fine trees, but we could not see any more roebucks, buffaloes, bustards, and swans. We met from time to time monstrous fish, which struck so violently against our canoes, that at first we took them to be large trees, which threatened to upset us. We saw also a hideous monster; his head was like that of a tiger, his nose was sharp, and somewhat resembled a wildcat; his beard was long; his ears stood upright; the color of his head was gray; and his neck black.

He looked upon us for some time, but as we came near him our oars frightened him away. When we threw our nets into the water we caught an abundance of sturgeons, and another kind of fish like our trout, except that the eyes and nose are much smaller, and they have near the nose a bone like a woman's busk, three inches broad and a foot and a half long, the end of which is flat and broad, and when it leaps out of the water

the weight of it throws it on its back.

Having descended the river as far as 41° 28′, we found that turkeys took the place of game, and the Pisikious that of other animals. We called the Pisikious wild buffaloes, because they very much resemble our domestic oxen; they are not so long, but twice as large. We shot one of them, and it was as much as thirteen men could do to drag him from the place where he fell. . . .

We continued to descend the river, not knowing where we were going, and having made an hundred leagues without seeing anything but wild beasts and birds, and being on our guard we landed at night to make our fire and prepare our repast, and then left the shore to anchor in the river, while one of us watched by turns to prevent a surprize. We went south and southwest until

we found ourselves in about the latitude of 40° and some minutes, having rowed more than sixty leagues since we entered the river.

We took leave of our guides about the end of June, and embarked in presence of all the village, who admired



MARQUETTE'S GENUINE MAP

our birch canoes, as they had never before seen anything like them. We descended the river, looking for another called Pekitanoni, which runs from the northwest into the Mississippi. . . .

As we were descending the river we saw high rocks with hideous monsters painted on them, and upon which the bravest Indians dare not look. They are as large as a calf, with head and horns like a goat; their eyes

red; beard like a tiger's; and a face like a man's. Their tails are so long that they pass over their heads and between their fore legs, under their belly, and ending like a fish's tail. They are painted red, green, and black. They are so well drawn that I cannot believe they were drawn by the Indians. And for what purpose they were made seems to me a great mystery. As we fell down the river, and while we were discoursing upon these monsters, we heard a great rushing and bubbling of waters, and small islands of floating trees coming from the mouth of the Pekitanoni, with such rapidity

that we could not trust ourselves to go near it. The water of this river is so muddy that we could not drink it. It so discolors the Mississippi as to make the navigation of it dangerous. This river comes from the northwest. and empties into the Mississippi, and on its banks are situated a number of Indian villages. We judged by the compass, that the Mississippi discharged itself into the Gulf of Mexico. It would, however, have been more agreeable, if it had discharged itself into the South Sea or Gulf of California. . . .

Having satisfied ourselves that the Gulf of Mexico was in



STATUE OF FATHER MARQUETTE, S. J., AT PRAIRIE DU CHIEN, WISCONSIN

latitude 31° 40', and that we could reach it in three or four days' journey from the Akansea, and that the Mississippi discharged itself into it, and not to the eastward of the Cape of Florida, nor into the California Sea, we resolved to return home. We considered that the advantage of our travels would be altogether lost to our nation if we fell into the hands of the Spaniards, from whom we could expect no other treatment than death or slavery; besides, we saw that we were not prepared to resist the Indians, the allies of the Europeans, who continually infested the lower part of this river. we therefore came to the conclusion to return, and make a report to those who had sent us. So that having rested another day, we left the village of the Akansea, on the seventeenth of July, 1673, having followed the Mississippi from the latitude of 42° to 34°, and preached the Gospel to the utmost of my power, to the nations we visited. We then ascended the Mississippi with great difficulty against the current, and left it in the latitude of 38° north, to enter another river, which took us to the lake of the Illinois, which is a much shorter way than through the River Mesconsin, by which we entered the Mississippi. . . .

La Salle Descends the Mississippi and Takes Possession of Louisiana, 1682

Rene Robert Cavelier, Sieur de La Salle (1643–1687), adventurer, trader and explorer, cherished a vision of empire for France which should include the whole Mississippi Valley. It was in 1682 after many adventurous explorations, which in 1673 gained for him a patent of nobility, that he descended the Mississippi to its mouth, the first time that this had been done by a white man, and took possession of "Louisiana," including in his claim the territory from the source to the mouth of the "river Colbert" or Mississippi. The following extract is from Charlevoix, "Histoire de la Nouvelle France," (Paris, 1744), translated by Shea, 1865–1872. The translation was published by F. P. Harper, 1900. The following extracts summarize the narrative. (See page 6.)

On the 14th of July, 1678, la Sale and Tonti embarked at Rochelle with thirty men, including pilots and mechanics, and they reached Quebec on the 15th of September. Their stay there was short, because they wished to profit by the pleasant season to proceed to Catarocouy, whither they took with them Father Louis Hennepin, a Flemish Recollect, who subsequently accompanied them in most of their journeys. La Sale's first care on arriving at Catarocouy, was to begin his labors on the fort, which was only of palisades; he at the same time

built a bark, and these operations were carried through with a celerity which gave a high idea of the activity of the new governor.



THE BUILDING OF THE "GRIFFIN" ON THE NIAGARA RIVER IN 1679 (From Hennepin's "New Discovery")

He then sailed in his bark as far as Niagara, where he traced a new fort: this he confided to the Chevalier de Tonti, to whom he left thirty men, gave orders for



ROBERT CAVELIER, SIEUR DE LA SALLE (From an engraving after a modern painting drawn from a design given in Gravier)



building a second bark at the head of Lake Erie, above Niagara Falls, traversed on foot all the Seneca canton, made during the rest of the winter a number of other excursions, which had no other object than the furtrade, returned by land to Catarocouy, and sent his bark back to Niagara, loaded with provisions and merchandise. . . .

About the middle of August, the bark which had been built at the entrance of Lake Erie being in a state to sail, la Sale embarked with forty men, including three Recollect Fathers, and steered for Michillimakinac.

From Michillimakinac, the Griffin, so his bark was called, sailed to the Bay (Green Bay), from which point de la Sale sent it back to Niagara loaded with furs. For his own part, he proceeded in a canoe to St. Joseph's River, where there was then a Miami town, at which Father Allouez was laboring with considerable success. Here the Chevalier de Tonti proceeded to join him. They did not remain there long. Tonti descended to the Illinois, and la Sale returned to Catarocouy, where he learned, on his arrival, that little doubt was entertained of the loss of the Griffin. In fact, no very authentic tidings were had of it after it left the Bay.

La Sale took a number of young Illinois, whom he found well disposed, and began to prepare in earnest to begin his explorations. He first detached a man named Dacan with Father Hennepin to ascend the Micissipi above the Illinois River, and if possible to its source.

These two travellers left Fort Crevecœur February 28th, and, having entered the Micissipi, ascended it to about the 46° N. There they were arrested by a pretty high waterfall extending across the whole width of the river, and to which Father Hennepin gave the name of Falls of Saint Anthony of Padua. They then fell, by what accident I know not, into the hands of the Sioux, who retained them as prisoners for a considerable time,

but did not maltreat them. They were at last delivered by some French who came from Canada.

New troubles which befell M. de la Sale after the departure of Dacan and Father Hennepin, detained him at his Fort Crevecœur till the month of November, and then compelled him to return to Catarocouy. On his way he perceived on the Illinois river, which he was ascending, a site which seemed to him very adapted for the erection of a new fort. He traced the plan of one, called Mr. de Tonti, whom he appointed to build it, and continued his route. Scarcely had Tonti begun his work when he received information that the French whom he had left in Fort Crevecœur had revolted. He hastened back, but found only seven or eight men, the rest having deserted, with all they were able to carry.

Soon after the Iroquois appeared, to the number of six hundred warriors, in sight of the Illinois settlements, and this irruption having increased the distrust of the Illinois against the French, the Chevalier de Tonti found himself in a strange embarrassment. The course which he adopted was to make himself a mediator between the two Indian nations, and in this negotiation he employed successfully the Recollect Fathers Gabriel de la Ribourde and Zenobius Membré, who had remained with him at Crevecœur. But the peace was not lasting, and the Iroquois, emboldened by the fear with which they seemed to be regarded, soon renewed their hostilities.

Hitherto the Iroquois had not openly declared against the French: they at last undertook to drive them from the River of the Illinois, and the Chevalier de Tonti, having received information that an army of those Indians was coming to invest him in his Fort Crevecœur, did not consider it prudent to await their approach, and retired. Count de Frontenac, in his letter to the king . . . states that Tonti was pursued and wounded, and

Father Gabriel de la Ribourde killed by the Iroquois. He apparently was led to believe so from the first rumors, which almost always exaggerate bad tidings. The truth is, that Tonti, not believing himself in a position to defend his fort against the Iroquois, evacuated



ROBERT CAVELIER, SIEUR DE LA SALLE
(After a copper-plate by Van der Gucht in the London (1698) edition of Hennepin's
"New Discovery")

it on the 11th of September, 1680, with five Frenchmen, who constituted his whole garrison, and the two Recollect Fathers whom I have already named, but he was not followed, or at least there was no action between him and the Iroquois.

After ascending the Illinois River five leagues, he halted to dry his furs, and Father Gabriel having strayed

a little into the woods while saying his breviary, was met by some Kicapous, who killed him, apparently, in order to rob him. He was a holy religious, highly esteemed in New France for his virtue and moderation, and who had consulted his courage rather than his strength before attaching himself to an expedition, of which his age of seventy-one could not ensure his seeing the close. This misfortune for some days delayed the march of the Chevalier de Tonti, who went to the bay

of Lake Michigan to winter.

M. de la Sale could not have been informed of this retreat, and he was greatly surprised when, early in the spring of the following year, he found no one at Fort Crevecœur on his reaching it. Having stationed a new garrison there, he dispatched men to work at a second fort, which he had traced the year before, and which was called Fort St. Louis. He then proceeded to Michillimakinac, where the Chevalier de Tonti had shortly before arrived with his party. They all set out from it together towards the end of August to proceed to Catarocouy, and after three months spent in running up and down to recruit a new body of Frenchmen and collect supplies, la Sale, with his whole force took up his march for the Illinois, and there found his two forts in the position in which he had left them.

He descended the Illinois River, and on the 2d of February, 1682, he found himself on the Misissipi. On the 4th of March, with all the usual ceremonies, he took possession of the country of the Akansas, and on the 9th of April he explored the mouth of the river, where he made a new act of taking possession in form. This is all that is certainly known as to this voyage. . . .

This important exploration thus completed, and the whole course of one of the greatest rivers in the world secured to France by acts of taking possession, to which no objection could be taken, la Sale re-embarked on the 11th of April. . . . On the 15th of May he fell sick, and



LA SALLE CHRISTENING THE COUNTRY "LOUISIANA"

A HISTORY OF THE AMERICAN PEOPLE

detached the Chevalier de Tonti, with instructions to use all possible diligence to reach Michillimakinac. For his own part, he proceeded to spend part of the winter at the Bay, and did not reach Quebec till the spring of the ensuing year, 1683.

ROYAL INSTRUCTIONS TO FRONTENAC FOR THE INVASION OF NEW YORK, 1689

The following are extracts from the "Memoir of Instructions to Count de Frontenac" respecting the expedition against New York, dated June 7, 1689. Text in "Documentary History of the State of New York" (1849, Vol. I., pp. 292–297). (See page 11.)

The King, having examined the proposition made him by Sieur Chevalier de Callieres Bonnevue of Montreal to attack New-York with his Majesty's troops in Canada and a number of the militia of that country, has the more willingly assented to it as he knows that the English inhabiting that quarter have resolved since the last year to excite the Iroquois Nation, His Majesty's subjects, and force them to wage war against the French, having furnished them for that purpose with arms and ammunition, and endeavored in every way, even to the prejudice of the King of England's orders and the faith of Treaties, to usurp the trade of the French in the country in possession of which they have been from all time.

To accomplish this project His Majesty has given orders to Sieur Begon to prepare the munitions necessary for the expedition and has caused two of his ships of war to be equipped in the port of Rochefort under the command of Sieur de la Caffiniere whom he has ordered to follow exactly the directions which said Sieur de Frontenac will give him regarding this expedition.

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He will set out with all diligence to embark at Rochelle in one of the ships and sail without loss of time for the entrance of the gulf of St. Lawrence and Campseaux bay,



LOUIS DE BUADE, COMTE DE FRONTENAC (Governor of New France, Sept. 12, 1672—Oct., 1682; and Oct. 12, 1689–Nov. 28, 1698)

where he will embark in the best of the merchantmen that will follow and repair to Quebec. . . .

Therefore, on his arrival at Quebec he will take advantage of the state in which he will find things, to complete the suitable arrangements for departing with batteaux, canoes, and all the equipage necessary for

this expedition with the Chevalier de Callieres who will

command the troops under his orders.

He will despatch by land or water as he shall deem most certain, orders and instructions to Sieur de la Caffiniere, to the place he will have designated, as to what he shall have to do, in order to repair to Manathe, he making use of the cypher which shall have been furnished him.

He will order him to sail directly and without undertaking any thing along his course, follow the coast of Acadie (where he will leave in passing what he shall have for the said coast of Acadie) down to Manathe, and order him to anchor as safely as possible and to observe well the quarter where he will make his landing when said Sieur de Frontenac shall have arrived there.

He will give orders to the Sieur de la Caffiniere to seize the vessels he will find in the bay of the said Manathe, without exposing himself to any accident that may render him unable to cooperate in that enter-

prise.

As it is impossible to fix on a certain rendezvous for the arrival of said vessels at Manathe at the same time that the Sieur de Frontenac will arrive there with the troops, without alarming those of that place, the two vessels of war must go right into the bay, more especially as the attack on the frontier post of New-York will give warning to those of Manathe; and the vessels thus arriving before the land forces, will cause a diversion. . . .

The said Sieur de Frontenac having informed himself of the route he is to take, of which he will make more particular enquiries on the spot, as regard the convenience, security and expedition of the troops, His Majesty will not enter into further detail on this subject, nor on the attack on Orange and Manathe nor on any thing that relates thereto. He will solely recommend him to act as much as possible, in such a manner that those of Orange may not be advised of his march,

so that he may surprise this first post and cut in below Orange to secure the number of vessels he may require to descend on Manathe, and to place things in such order as not to be uneasy when he shall depart for and be established at, the said Manathe. For this purpose he ought to leave a confidential officer at Orange with such detachment as he will find necessary to be left there, with orders to be on his guard and to fortify himself, and obtain all information possible for the success of the expedition against Manathe. He will also cause all the inhabitants to be disarmed and their effects to be seized, giving them to hope every good treatment with which they can flatter themselves until he entertains no further apprehensions; then His Majesty desires that what is hereinafter prescribed to him, may be executed

He wishes particular care to be taken to prevent any plunder of provisions, merchandize, ammunition, property, cattle, utensils and principal household furniture; and as his object must be to place Forts Orange and Manathe in a state of defence, and to support the Frenchmen who will have remained there, he must not only victual the forts for the longest time possible but collect there all he can of provisions, and in default of a sufficient quantity of magazines in said forts, he will lock them up in the towns, taking care not to touch those which he should deposit in said forts except when obliged.

His Majesty does not wish any suspected inhabitants be left in that Colony. His intention also is that an exact Inventory be made in the settlements and plantations by Commissary Gaillard (whom His Majesty wishes him to take with him,) of all cattle, grain, merchandize, furniture, effects and utensils he may find in each of the said settlements; that he select from among the inhabitants of Canada and the officers and soldiers of the troops those who will be found qualified to maintain

and improve them, and that he furnish these with farms in His Majesty's name leaving them of the provisions that will be found there, as much as shall be necessary to support them until they have produced some; and



FRANÇOIS DE LAVAL
(First Bishop of Quebec, 1674)

he will examine, one with another, those to whom he will think proper to grant said farms, so as to distribute the greater number in proportion to their skill and strength, observing to associate several in the same settlement when he shall deem such necessary. He will

inform his Majesty of all he shall have done in this regard by sending him the enumeration of all that he shall have left in each such settlement, and furnish his opinion of the Quit rents which they will be in a condition to pay him. After having settled on what he shall judge absolutely necessary to leave to those to whom he will have given these farms, he will place in store all the surplus, such as grain, whale oil, and all sorts of merchandize and other principal effects of which also inventories shall be made to be equally sent to his Majesty.

He will examine into the means of distributing said property so that from what he will acquire there, his Majesty may order, on his advice, the gratuities he shall judge fitting to bestow on said militia, the army and navy officers, soldiers and sailors who shall have distinguished themselves and given individual marks of that satisfaction which he expects from their zeal and

industry on this occasion.

If he find among the inhabitants of New York, whether English or Dutch, any Catholics on whose fidelity he considers he can rely, he may leave them in their habitations after making them take the oath of allegiance to His Majesty, provided there be not too many of them and they do not excite any suspicion, having regard, in that, only to what will best promote the preservation and advantage of the Colony and its security at the same time as well as that of the French.

He may likewise retain, if he think proper, mechanics and other working people necessary to cultivate the land and work at fortifications in the capacity of prisoners, distributing them among the French inhabitants who may require them, until matters being in a state of entire security, they may be restored to liberty.

The officers and principal inhabitants, from whom ransoms can be exacted, must be detained in prison.

Respecting all other foreigners, men, women, and children, His Majesty deems it proper that they should

be put out of the Colony and sent to New England, Pennsylvania and such other quarters as shall be considered expedient, either by land or sea, together or in divisions—all according as he shall find will best secure their dispersion and prevent them, by reunion, affording enemies an opportunity to get up expeditions against that Colony.

He will send to France the French Refugees whom he will find there, particularly those of the pretended Reformed religion. When he will have captured the fort and conquered that Colony he must think particularly of his return to Canada to convey thither the Militia and Soldiers he shall deem necessary for the King's service, according to the disposition in which he shall find things both as regards the Iroquois as well on the side of Canada as on that of New York, and in proportion to what troops he will calculate necessary to be left to guard the forts and country.

And as nothing appears more important, after his expedition, than to take advantage of the season to return to Canada, he must, in case he cannot execute all that is above contained, confide its execution to Sieur Chevalier de Callieres, giving him orders conformable and according to what he shall consider most fitting the King's service; His Majesty having determined to confer on the said Chevalier de Callieres the Government of New York, and of the town and fort of Manathe in particular, under the authority of His Majesty's Lieutenant General in New France.

He will select, before leaving, the officers and soldiers he will deem proper to leave at New York and put over the posts those officers best qualified to maintain and

fortify them.

In case he find, after having provided sufficient troops for New York and concluded on the number of soldiers necessary for His Majesty's service in Canada, that he has a superabundance, he can send some to

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France in the King's Ships, and retain thirty-five to forty men to be sent eventually to Acadia.

His Majesty is very glad to observe to him on this



COMTESSE DE FRONTENAC

head, that he must regulate himself, as regards the number of men he will leave in New York, by the means

of subsistence there and the necessity of guarding the country; and he will also consider that his return to Canada will be more convenient for those he will have to convey back there, when they will not be more numerous.

In case, contrary to all appearance, the season be too far advanced to admit his return to Canada during the remainder of the Fall, he will give advice of his expedition and sojourn there until the Spring, and he will employ himself during winter in securing his conquest and waging war on the enemy.

However that be, he ought if he be obliged to remain, either personally or through Chevalier de Callieres, if that be convenient, profit by circumstances to conclude a solid and advantageous peace with the Iroquois, whom he will, doubtless find disposed to sue for it, being deprived of aid from and communication with the English.

In order to deprive the English of the facility of undertaking land expeditions against New York from New England, His Majesty desires that the English Settlements adjoining Manathe and further off if necessary, be destroyed; and that the more distant be put under contribution.

He will send an exact report of all the observations he will be able to make regarding the trade of the new inhabitants of New York, the security of the navigation thence to France, the communication with Canada, so that His Majesty may give him on those points the necessary orders to derive from that conquest all the advantages to be expected from it. But should this expedition contrary to all appearances, and for reasons which His Majesty cannot foresee, not be executed, he will convey his orders to the said Sieur de la Caffiniere to make war against the English, and range along the Coasts of New England and New York to capture there as many prizes as possible, and to remain there until he have no more provisions than are necessary for his return to France.

Indian Massacre at Schenectady, 1689

The following are extracts from the narrative of the massacre of inhabitants and burning of buildings at Schenectady by Frontenac's Indian allies on February 9, 1689, prepared by Mgr. de Monseignat, Comptroller General of the Marine in Canada. Text in "Documentary History of the State of New York" (1849, Vol. I., pp. 297–302). (See page 13.)

The orders received by M. le Comte (de Frontenac) to commence hostilities against New England and New York, which had declared for the Prince of Orange, afforded him considerable pleasure, and were very necessary for the country. He allowed no more time to elapse before carrying them into execution than was required to send off some despatches to France-immediately after which he determined to organize three different detachments, to attack those rebels at all points at the same moment, and to punish them at various places for having afforded protection to our enemies, the Mohawks. The first party was to rendezvous at Montreal, and proceed towards Orange; the second at Three Rivers, and to make a descent on New York, at some place between Boston and Orange; and the third was to depart from Quebec, and gain the seaboard between Boston and Pentagouet, verging towards Acadia. They all succeeded perfectly well, and I shall communicate to you the details. . . .

The detachment which formed at Montreal, may have

been composed of about two hundred and ten men, namely: eighty savages from the Sault, and from La Montagne; sixteen Algonquins; and the remainder Frenchmen—all under the command of the Sieur Le



DESTRUCTION OF SCHENECTADY BY FRENCH AND INDIANS, 1690 (From "Old Schenectady," by George S. Roberts. Courtesy of Robson & Adee, Schenectady, New York)

Moyne de Sainte Helene, and Lieutenant Daillebout de Mantet, both of whom are Canadians. The Sieurs le Moyne d'Iberville and Repentigny de Montesson commanded under these. The best qualified Frenchmen were, the Sieurs de Bonrepos and de La Brosse, Cal-

vinist officers, the Sieur la Moyne de Blainville, Le Bert du Chene, and la Marque de Montigny, who all served as volunteers. They took their departure from Montreal at the commencement of February.

After having marched for the course of five or six days, they called a council to determine the route they should follow, and the point they should attack.

The Indians demanded of the French what their intention. Messieurs de Sainte Helene and Mantet replied that they had left in the hope of attacking Orange, if possible, as it is the Capital of New York and a place of considerable importance, though they had no orders to that effect, but generally to act according as they should judge on the spot of their chances of success, without running too much risk. This appeared to the savages somewhat rash. They represented the difficulties and the weakness of the party for so bold an undertaking. There was even one among them who, his mind filled with the recollections of the disasters which he had witnessed last year, enquired of our Frenchmen, "since when had they become so desperate." In reply to their raillery, 'twas answered that it was our intention, now, to regain the honor of which our misfortunes had deprived us, and the sole means to accomplish that was to carry Orange, or to perish in so glorious an enterprise.

As the Indians, who had an intimate acquaintance with the localities, and more experience than the French, could not be brought to agree with the latter, it was determined to postpone coming to a conclusion until the party should arrive at the spot where the two routes separate—the one leading to Orange, and the other to Corlear (Schenectady). In the course of the journey, which occupied eight days, the Frenchmen judged proper to diverge towards Corlear, according to the advice of the Indians; and this road was taken without calling a new council. Nine days more elapsed before they arrived, having experienced inconceivable difficul-

THE

HISTORY

OFTHE

Five INDIAN Nations

Depending on the Province

OF

NEW-YORK

In America.



Printed and Sold by William Bradford in New-York, 1727.

ties, and having been obliged to march up to their knees in water, and to break the ice with their feet in order

to find a solid footing.

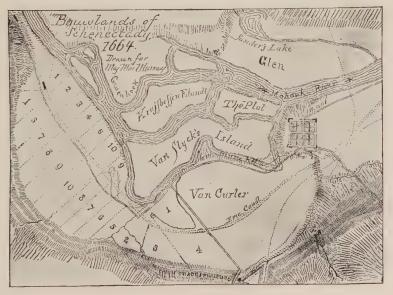
They arrived within two leagues of Corlear about four o'clock in the evening, and were harangued by the great Mohawk chief of the Iroquois from the Sault. He urged on all to perform their duty, and to lose all recollections of their fatigue, in the hope of taking ample revenge for the injuries they had received from the Iroquois at the solicitation of the English, and of washing them out in the blood of the traitors. This savage was without contradiction the most considerable of his tribe—an honest man—as full of spirit, prudence and generosity as it was possible, and capable at the same time of the grandest undertakings. Shortly after four Squaws were discovered in a wigwam who gave every information necessary for the attack on the town. The fire found in their hut served to warm those who were benumbed, and they continued their route, having previously detached Giguieres, a Canadian, with nine Indians, on the look out. They discovered no one, and returned to join the main body within one league of Corlear.

At eleven of the clock that night, they came within sight of the town, resolved to defer the assault until two o'clock of the morning. But the excessive cold admitted of no further delay.

The town of Corlear forms a sort of oblong with only two gates—one opposite the road we had taken; the other leading to Orange, which is only six leagues distant. Messieurs de Sainte Helene and de Mantet were to enter at the first which the squaws pointed out, and which in fact was found wide open. Messieurs d'Iberville and de Montesson took the left with another detachment, in order to make themselves masters of that leading to Orange. But they could not discover it, and returned to join the remainder of the party. A

profound silence was every where observed, until the two commanders, who separated, at their entrance into the town for the purpose of encircling it, had met at the other extremity.

The signal of attack was given Indian fashion, and the entire force rushed on simultaneously. M. de



PLAN OF THE FORT AT SCHENECTADY, 1664
(From "Old Schenectady," by George S. Roberts. Courtesy of Robson & Adee, Schenectady, New York)

Mantet placed himself at the head of a detachment, and reached a small fort where the garrison was under arms. The gate was burst in after a good deal of difficulty, the whole set on fire, and all who defended the place slaughtered.

The sack of the town began a moment before the attack on the fort. Few houses made any resistance. M. de Montigny discovered some which he attempted to carry sword in hand, having tried the musket in vain.

He received two thrusts of a spear—one in the body and the other in the arm. But M. de Sainte Helene having come to his aid, effected an entrance, and put every one who defended the place to the sword. The Massacre lasted two hours. The remainder of the night was spent in placing sentinels, and taking some repose.

The house belonging to the Minister was ordered to be saved, so as to take him alive to obtain information from him; but as it was not known it was not spared any more than the others. He was slain and his papers

burnt before he could be recognized.

At daybreak some men were sent to the dwelling of Mr. Coudre (Slander), who was Major of the place, and who lived at the other side of the river. He was not willing to surrender, and began to put himself on the defensive with his servants and some Indians; but as it was resolved not to do him any harm, in consequence of the good treatment that the French had formerly experienced at his hands, M. d'Iberville and the great Mohawk proceeded thither alone, promised him quarter for himself, his people, and his property, whereupon he laid down his arms, on parole, entertaining them in his fort, and returned with them to see the commandants of the town.

In order to occupy the savages, who would otherwise have taken to drink and thus rendered themselves unable for defense, the houses had already been set on fire. None were spared in the town but one house belonging to Coudre, and that of a widow who had six children, whither M. de Montigny had been carried when wounded. All the rest were consumed. The lives of between fifty and sixty persons, old men, women, and children, were spared, they having escaped the first fury of the attack. Some twenty Mohawks were also spared, in order to show them that it was the English and not they against whom the grudge was entertained.

The loss on this occasion in houses, cattle, and grain, amounts to more than four hundred thousand livres. There were upwards of eighty well built and well furnished houses in the town.

The return march commenced with thirty prisoners. The wounded, who were to be carried, and the plunder, with which all the Indians and some Frenchmen were loaded, caused considerable inconvenience. Fifty good horses were brought away. Sixteen only of these reached Montreal. The remainder were killed for food on the road.

. . . The French lost but twenty-one men, namely four Indians and seventeen Frenchmen. Only one Indian and one Frenchman were killed at the capture of the town. The others were lost on the road.

THE NAVIGATION ACT OF 1696

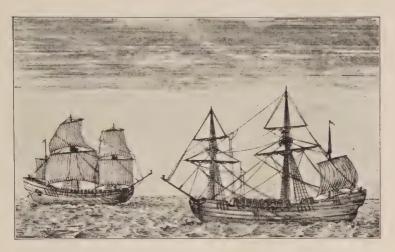
In the preceding volume are given extracts from the Navigation Acts of the British Parliament of 1660, 1663, and 1672. It was found that the American colonists paid small heed to these Acts, that attempts to enforce them were practically useless, and that other measures were necessary to yield British merchants a satisfactory income from operation. Accordingly, the Act of April 10, 1696, was passed, entitled "An Act for preventing Frauds and regulating Abuses in the Plantation Trade." Extracts from text in "Statutes of the Realm," Vol. VII., pp. 103–107. (See page 18.)

The Act opens with the declaration that great abuses are committed under the Acts above quoted,

and then proceeds:

For Remedy thereof for the future bee itt enacted.... That after March 25, 1698, noe Goods or Merchandizes whatsoever shall bee imported into or exported out of any Colony or Plantation to His Majesty in Asia Africa or America belonging or in his Possession or which may hereafter belong unto or bee in the Possession of His Majesty... or shall bee laden in or carried from any One Port or Place in the said Colonies or Plantations to any other Port or Place in the same, the Kingdome of England Dominion of Wales or Towne of Berwick upon Tweed in any Shipp or Bottome but what is or shall bee of the Built of England or of the Built of Ireland or the said Colonies or Plantations and wholly owned by the People thereof or any of them and navigated with the

Masters and Three Fourths of the Mariners of the said Places onely (except such Shipps onely as are or shall bee taken Prize . . . And alsoe except for the space of Three Yeares such Foreigne built Shipps as shall bee employed by the Commissioners of His Majesties Navy for the tyme being or upon Contract with them in bringing onely Masts Timber and other Navall Stores for the



EARLY FRENCH FISHING VESSELS ON BANKS OF NEWFOUNDLAND

Kings Service from His Majesties Colonies or Plantations to this Kingdome to bee navigated as aforesaid and whereof the Property doth belong to English Men) under paine of Forfeiture of Shipp and Goods. . . .

V. And for the more effectuall preventing of Frauds and regulating Abuses in the Plantation Trade in America Bee itt further enacted . . . That all Shipps comeing into or goeing out of any of the said Plantations and ladeing or unladeing any Goods or Commodities whether the same bee His Majesties Shipps of Warr

vol. III.—16

or Merchants Shipps and the Masters and Commanders thereof and their Ladings shall bee subject and lyable to the same Rules Visitations Searches Penalties and Forfeitures as to the entring lading or discharging theire respective Shipps and Ladings as Shipps and their Ladings and the Commanders and Masters of Shipps are subject and lyable unto in this Kingdome . . . [by virtue of the act 14 Chas. II., ch. 11]. . . . And that the Officers for collecting and manageing His Majesties Revenue and inspecting the Plantation Trade in any of the said Plantations shall have the same Powers and Authorities for visiting and searching of Shipps and takeing their Entries and for seizing and securing or bringing on Shoare any of the Goods prohibited to bee imported or exported into or out of any the said Plantations or for which any Duties are payable or ought to have beene paid by any of the before mentioned Acts as are provided for the Officers of the Customes in England by the said last mentioned Act . . . and alsoe to enter Houses or Warehouses to search for and seize any such Goods. . . .

XV.... bee itt further enacted ... That all Persons and theire Assignees claymeing any Right or Propriety (Property?) in any Islands or Tracts of Land upon the Continent of America by Charter or Letters Patents shall not att any tyme hereafter alien sell or dispose of any of the said Islands Tracts of Land or Proprieties other than to the Naturall Borne Subjects of England Ireland Dominion of Wales or Towne of Berwick upon Tweed without the License and Consent of His Majesty ... signifyed by His or Their Order in Council first had and obteyned. ...

XVI. And for a more effectuall prevention of Frauds which may bee used to elude the Intention of this Act by colouring Foreigne Shipps under English Names Bee

itt further enacted. . . . That from and after March 25, 1698, noe Shipp or Vessell whatsoever shall bee deemed or passe as a Shipp of the Built of England Ireland Wales Berwick Guernsey Jersey or of any of His Majesties Plantations in America soe as to bee qualifyed to trade to from or in any of the said Plantations untill the Person or Persons claymeing Property in such Shipp or Vessell shall register the same as followeth (that is to say) If the Shipp att the tyme of such Register doth belong to any Port in England Ireland Wales or to the Towne of Berwick upon Tweed then Proofe shall bee made upon Oath of One or more of the Owners of such Shipp or Vessell before the Collector and Comptroller of His Maiesties Customes in such Port or if att the tyme of such Register the Shipp belong to any of His Majesties Plantations in America or to the Islands of Guernsey or Jersey then the like Proofe to bee made before the Governour together with the Principall Officer of His Majesties Revenue resideing on such Plantation or Island. . . .

 $\mathit{Note}:$ Sections XV, and XVI, were added to the original draft as further provisos.

Penn's Charter of Privileges to His Province, 1701

In his efforts to reform the administration of his province and allay the widespread discontent that had sprung up during his absence in England, Penn granted the people a special charter of privileges, dated October 28, 1701, which was approved by the General Assembly and remained in force until the Revolution. Text in "American Charters, Constitutions, and Organic Laws" (1909, Vol. V., pp. 3076–80). (See page 26.)

WILLIAM PENN, Proprietary and Governor of the Province of *Pennsilvania* and Territories thereunto belonging, To all to whom these Presents shall come, sendeth Greeting. WHEREAS King CHARLES the Second, by His Letters Patents, under the Great Seal of England, bearing Date the Fourth Day of March, in the Year One Thousand Six Hundred and Eighty-one, was graciously pleased to give and grant unto me, and my Heirs and Assigns for ever, this Province of *Pensilvania*, with divers great Powers and Jurisdictions for the well Government thereof.

AND WHEREAS the King's dearest Brother, JAMES Duke of York and ALBANY, &c. by his Deeds of Feoffment, under his Hand and Seal duly perfected, bearing Date the Twenty-Fourth Day of August, One Thousand Six Hundred and Eighty and Two, did grant unto me, my Heirs and Assigns, all that Tract of Land, now called the Territories of Pensilvania, together with Powers and Jurisdictions for the good Government thereof.

AND WHEREAS for the Encouragement of all the Freemen and Planters, that might be concerned in the said Province and Territories, and for the good Government thereof, I the said WILLIAM PENN, in the Year One Thousand Six Hundred Eighty and Three, for me,



MWDems.

WILLIAM PENN (From a painting by Inman)

my Heirs and Assigns, did grant and confirm unto all the Freemen, Planters and Adventurers, therein, divers Liberties, Franchises and Properties, as by the said Grant, entitled, The FRAME of the Government of the Province of Pensilvania, and Territories thereunto belonging, in America, may appear; which Charter or Frame being found in some Parts of it, not so suitable to the present Circumstances of the Inhabitants, was in the Third Month, in the Year One Thousand Seven Hundred, delivered up to me, by Six Parts of Seven of the Freemen of this Province and Territories, in General Assembly met, Provision being made in the said Charter, for that End and Purpose.

AND WHEREAS I was then pleased to promise, That I would restore the said Charter to them again, with necessary Alterations, or in lieu thereof, give them another, better adapted to answer the present Circumstances and Conditions of the said Inhabitants; which they have now, by their Representatives in General Assembly met at *Philadelphia*, requested me to grant.

KNOW YE THEREFORE, That for the further Well-being and good Government of the said Province, and Territories; and in Pursuance of the Rights and Powers before-mentioned, I the said William Penn do declare, grant and confirm, unto all the Freemen, Planters and Adventurers, and other Inhabitants of this Province and Territories, these following Liberties, Franchises and Privileges, so far as in me lieth, to be held, enjoyed and kept, by the Freemen, Planters and Adventurers, and other Inhabitants of and in the said Province and Territories thereunto annexed, for ever.

FIRST

BECAUSE no People can be truly happy, though under the greatest Enjoyment of Civil Liberties, if abridged of the Freedom of their Consciences, as to their Religious Professions and Worship: And Almighty God being the only Lord of Conscience, Father of Lights and Spirits; and the Author as well as Object of all divine Knowledge, Faith and Worship, who only doth enlighten the Minds, and persuade and convince the Understandings of People, I do hereby grant and declare, That no Person or Persons, inhabiting in this Province or Territories, who shall confess and acknowledge one almighty God, the Creator, Upholder and Ruler of the World; and profess him or themselves obliged to live quietly under the Civil Government, shall be in any Case molested or prejudiced, in his or their Person or Estate, because of his or their conscientious Persuasion or Practice, nor be compelled to frequent or maintain any religious Worship, Place or Ministry, contrary to his or their Mind, or to do or suffer any other Act or Thing, contrary to their religious Persuasion.

AND that all Persons who also profess to believe in Jesus Christ, the Saviour of the World, shall be capable (notwithstanding their other Persuasions and Practices in Point of Conscience and Religion) to serve this Government in any Capacity, both legislatively and executively, he or they solemnly promising, when lawfully required, Allegiance to the King as Sovereign, and Fidelity to the Proprietary and Governor, and taking the Attests as now established by the Law made at New-Castle, in the Year One Thousand and Seven Hundred, entitled, An Act directing the Attests of several Officers and Ministers, as now amended and confirmed

this present Assembly.

II

FOR the well governing of this Province and Territories, there shall be an Assembly yearly chosen, by the Freemen thereof, to consist of *Four* Persons out of each County, of most Note for Virtue, Wisdom and

Ability, (or of a greater number at any Time, as the Governor and Assembly shall agree) upon the First Day of October for ever; and shall sit on the Fourteenth Day of the same Month, at Philadelphia, unless the Governor and Council for the Time being, shall see Cause to appoint another Place within the said Province or Territories: Which Assembly shall have Power to chuse a Speaker and other their Officers; and shall be Judges of the Qualifications and Elections of their own Members; sit upon their own Adjournments; appoint Committees; prepare Bills in order to pass into Laws; impeach Criminals, and redress Grievances; and shall have all other Powers and Privileges of an Assembly, according to the Rights of the free-born Subjects of England, and as is usual in any of the King's Plantations in America.

AND if any County or Counties, shall refuse or neglect to chuse their respective Representatives as aforesaid, or if chosen, do not meet to serve in Assembly, those who are so chosen and met, shall have the full Power of an Assembly, in as ample Manner as if all the Representatives had been chosen and met, provided they are not less than *Two Thirds* of the whole Number that ought to meet.

AND that the Qualifications of Electors and Elected, and all other Matters and Things relating to Elections of Representatives to serve in Assemblies, though not herein particularly expressed, shall be and remain as by a Law of this Government, made at New-Castle in the Year One Thousand Seven Hundred, entitled, An Act to ascertain the Number of Members of Assembly, and to regulate the Elections.

III

THAT the Freemen in each respective County, at the Time and Place of Meeting for Electing their Representatives to serve in Assembly, may as often as

NEWS

FROM

PENSILVANIA:

Or a Brief

NARRATIVE

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Remarkable Passages

INTHE

GOVERNMENT

OFTHE

QUAKERS,

In that Province.

Touching their Proceedings in their Pretended Courts of Justice; their Way of Trade and Commerce; with Remarks and Observations upon the whole.

Published by the Author of The Pilgrim's Progress, &c.

Therefore have I also made you contemptible and base before all the People, according as ye have not kept my Ways, but have been partial in the Law, Mal 2.9.

LONDON: Printed, and Sold by the Booksellers. 1703.
Price 3 d.

there shall be Occasion, chuse a double Number of Persons to present to the Governor for Sheriffs and Coroners to serve for *Three* Years, if so long they behave themselves well; out of which respective Elections and Presentments, the Governor shall nominate and commissionate one for each of the said Offices, the *Third* Day after such Presentment, or else the *First* named in such Presentment, for each Office as aforesaid, shall stand and serve in that Office for the Time before respectively limited; and in Case of Death or Default, such Vacancies shall be supplied by the Governor, to serve to the End of the said Term.

PROVIDED ALWAYS, That if the said Freemen shall at any Time neglect or decline to chuse a Person or Persons for either or both the aforesaid Offices, then and in such Case, the Persons that are or shall be in the respective Offices of Sh riffs or Coroners, at the Time of Elections, shall remain therein, until they shall

be removed by another Election as aforesaid.

AND that the Justices of the respective Counties shall or may nominate and present to the Governor *Three* Persons, to serve for Clerk of the Peace for the said County, when there is a Vacancy, one of which the Governor shall commissionate within *Ten* Days after such Presentment, or else the *First* nominated shall serve in the said Office during good Behavior.

IV

THAT the Laws of this Government shall be in this Stile, viz. By the Governor, with the Consent and Approbation of the Freemen in General Assembly met; and shall be, after Confirmation by the Governor, forthwith recorded in the Rolls Office, and kept at Philadelphia, unless the Governor and Assembly shall agree to appoint another Place.

V

THAT all Criminals shall have the same Privileges of Witnesses and Council as their Prosecutors.

VI

THAT no Person or Persons shall or may, at any Time hereafter, be obliged to answer any Complaint, Matter or Thing whatsoever, relating to Property, before the Governor and Council, or in any other Place,



INTERIOR OF THE CHURCH OF ALL HALLOWS, BARKING, LONDON, WHERE WILLIAM PENN WAS BAPTIZED

A HISTORY OF THE AMERICAN PEOPLE

but in ordinary Course of Justice, unless Appeals thereunto shall be hereafter by Law appointed.

VII

THAT no Person within this Government, shall be licensed by the Governor to keep an Ordinary, Tavern or House of Publick Entertainment, but such who are first recommended to him, under the Hands of the Justices of the respective Counties, signed in open Court; which Justices are and shall be hereby impowered, to suppress and forbid any Person, keeping such Publick-House as aforesaid, upon their Misbehavior, on such Penalties as the Law doth or shall direct; and to recommend others from time to time, as they shall see Occasion.

VIII

IF any person, through Temptation or Melancholy, shall destroy himself; his Estate, real and personal, shall notwithstanding descend to his Wife and Children, or Relations, as if he had died a natural Death; and if any Person shall be destroyed or killed by Casualty or Accident, there shall be no Forfeiture to the Governor by reason thereof.

AND no Act, Law or Ordinance whatsoever, shall at any time hereafter, be made or done, to alter, change or diminish the Form or Effect of this Charter, or of any Part or Clause therein, contrary to the true Intent and Meaning thereof, without the Consent of the Governor for the Time being, and Six Parts of Seven of the Assem-

bly met.

BUT because the Happiness of Mankind depends so much upon the Enjoyment of Liberty of their Consciences as aforesaid, I do hereby solemnly declare, promise and grant, for me, my Heirs and Assigns, That the First Article of this Charter relating to Liberty of

Conscience, and every Part and Clause therein, according to the true Intent and Meaning thereof, shall be kept and remain, without any Alteration, inviolably for ever.

AND LASTLY, I the said William Penn, Proprietary and Governor of the Province of Pensilvania, and Terri-



MAP OF PENNSYLVANIA AND WEST JERSEY (From Thomas's "Pennsylvania and West Jersey")

tories thereunto belonging for myself, my Heirs and Assigns, have solemnly declared, granted and confirmed, and do hereby solemnly declare, grant and confirm, That neither I, my Heirs or Assigns, shall procure or do any Thing or Things whereby the Liberties in this Charter contained and expressed, nor any Part thereof,

shall be infringed or broken: And if any thing shall be procured or done, by any Person or Persons, contrary to these Presents, it shall be held of no Force or Effect.

IN WITNESS whereof, I the said William Penn, at Philadelphia in Pensilvania, have unto this present Charter of Liberties, set my Hand and broad Seal, this Twenty-Eight Day of October, in the Year of Our Lord One Thousand Seven Hundred and One, being the Thirteenth Year of the Reign of KING WILLIAM the Third, over England, Scotland, France and Ireland, &c. and the

Twenty-First Year of my Government.

AND NOTWITHSTANDING the Closure and Test of this present Charter as aforesaid, I think fit to add this following Proviso thereunto, as Part of the same, That is to say, That notwithstanding any Clause or Clauses in the above-mentioned Charter, obliging the Province and Territories to join together in Legislation, I am content, and do hereby declare, that if the Representatives of the Provinces and Territories shall not hereafter agree to join together in Legislation, and that the same shall be signified unto me, or my Deputy, in open Assembly, or otherwise from under the Hands and Seals of the Representatives, for the Time being, of the Province and Territories, or the major Part of either of them, at any Time within Three Years from the Date hereof, that in such Case, the Inhabitants of each of the Three Counties of this Province, shall not have less than Eight Persons to represent them in Assembly, for the Province; and the Inhabitants of the Town of Philadelphia (when the said Town is incorporated) Two Persons to represent them in Assembly; and the Inhabitants of each County in the Territories, shall have as many Persons to represent them in a distinct Assembly for the Territories, as shall be by them requested as aforesaid.

NOTWITHSTANDING which Separation of the Province and Territories, in Respect of Legislation, I

do hereby promise, grant and declare, That the Inhabitants of both Province and Territories, shall separately enjoy all other Liberties, Privileges, and Benefits, granted jointly to them in this Charter, any Law, Usage or Custom of this Government heretofore made and practised, or any Law made and passed by this General Assembly, to the Contrary hereof, notwithstanding.

WILLIAM PENN.

East and West Jersey Surrender to the Crown, 1702

On April 15, 1702, the Proprietors of the provinces of East Jersey and West Jersey surrendered to the Crown all the rights they had acquired from the Duke of York. This instrument is reprinted in full in "American Charters, Constitutions, and Organic Laws" (1909, Vol. V., pp. 2585–90), from which the following extracts are taken. (See page 27.)

And whereas the estate, interest, right and title of the said James Duke of York, in and to the Province of East Iersey and West Iersey, part of the premises by the said recited Letters granted, are by mean conveyances and assurances in the law, come unto and vested in or claimed amongst others by Sir Thomas Lane, Paul Dominique, Robert Mitchell, Joseph Brooksbank, Michael Watts. Edward Richier, John Norton, Ebenezer Jones, John Whiting, John Willcocks, John Bridges, Thomas Skinner, Benjamin Steell, Obediah Burnett, Joseph Micklethwait, Elizabeth Miller, Benjamin Levy, Francis Minshall, Joseph Collier, Thomas Lewis, Jo. Bennet, John Booker, Benjamin Nelson, James Wassee, Richard Harrison, John Jurin, Richard Greenaway, Charles Mitchell, Francis Mitchell, Tracy Paunceford, William Hamond, Ferdinando Holland, William Dockwra, Peter Sonmans, Joseph Grimston, Charles Ormston, Edward Antill, George Willocks, Francis Handcock, Thomas Barker, Thomas Cooper, Robert Burnet, Miles Forster, John

Johnstone, David Lyell, Michael Hawdon, Thomas Warne, Thomas Gordon, John Barclay, Clement Plumstead, Gilbert Mollison, and Richard Hasel, the present



Proprietors thereof, and they also have claimed, by virtue of the said Letters Patent and mean conveyances

(From Moll's Atlas, 1717)

to exercise within the said Provinces for the governing the inhabitants thereof, all the powers and authorities for government granted by the said Letters Patents to the said Duke and his heirs and assigns; but her Majesty hath been advised, that they have no right nor can legally execute any of the said powers, but that it belongeth to her Majesty in right of her Crown of England to constitute Governors of the said Provinces, and to give directions for governing of the inhabitants thereof, as her Majesty shall think fit. And the said Proprietors being desirous to submit themselves to her Majesty, are willing to surrender all their pretences to the said powers of government, to the intent her Majesty may be pleased to constitute a Governor or Governors of the same Provinces, with such powers, privileges and authorities for the government thereof, and making of such laws there with the consent of the Assembly of the said Provinces, and her Maiesty's subsequent approbation thereof, as her Majesty in her great wisdom shall think fit and convenient. We therefore the said the present Proprietors of the said Provinces of East Jersey and West Jersey, for the consideration and to the intent aforesaid, have surrendered and vielded up, and by these presents for us and our heirs, do surrender and vield up unto our Sovereign Lady ANNE by the grace of God queen of England, Scotland, France, and Ireland, Defender of the Faith, &c. her heirs and successors, all these the said powers and authorities to correct, punish, pardon, govern and rule all or any of her Majesty's subjects or others, who now are or inhabit or hereafter shall adventure into or inhabit within the said Provinces of East Jersey, and West Jersey, or either of them; and also to nominate, make, constitute, ordain and conform any laws, orders, ordinances and directions and instruments for these purposes or any of them; and to nominate, constitute or appoint, revoke, discharge, change or alter any Governor or Gov-

ernors, officers or ministers which are or shall be appointed, made or used within the said Provinces or either of them; and to make, ordain and establish any orders, laws, direction, instruments, forms or ceremonies of government and magistracy, for or concerning the government of the Provinces aforesaid or either of them, or on the sea in going and coming to or from thence, or to put in execution, or abrogate, revoke or change such as are already made for or concerning such government, or any of them; and also all those the said powers and authorities to use and exercise martial law in the places aforesaid, or either of them, and to admit any person or persons to trade or traffick there, and of encountering, repelling and resisting by force of arms any person or persons attempting to inhabit there without the licence of us the said Proprietors, our heirs and assigns, and all other the powers, authorities and privileges of or concerning the government of the Provinces aforesaid, or either of them to the inhabitants thereof, which were granted or mentioned to be granted by the said recited Letters Patents, and every of them.

THE PEACE OF UTRECHT, 1713

1 .

This treaty, concluded at Utrecht, on April 11, 1713, marked the termination of the struggle known in America as Queen Anne's War. The eastern Indians sued for peace, and at Portsmouth the governors of Massachusetts and New Hampshire made a covenant of peace (July 24) with the chiefs of the hostile tribes. A peace of thirty years ensued. Only portions of the treaty that relate to America are here given. The full text is in Chalmer's "Collection of Treaties," Vol. I. (See page 38.)

X. The said most Christian King shall restore to the kingdom and Queen of Great Britain, to be possessed in full right for ever, the bay and streights of Hudson, together with all lands, seas, sea-coasts, rivers, and places situate in the said bay and streights, and which belong thereunto, no tracts of land or of sea being excepted, which are at present possessed by the subjects of France. . . . But it is agreed on both sides, to determine within a year, by commissaries to be forthwith named by each party, the limits which are to be fixed between the said Bay of Hudson and the places appertaining to the French. . . . The same commissaries shall also have orders to describe and settle, in like manner, the boundaries between the other British and French colonies in those parts.

XI. The abovementioned most Christian King shall take care that satisfaction be given, according to the



QUEEN ANNE (From the original by Kneller)

rule of justice and equity, to the English company trading to the Bay of Hudson, for all damages and spoil done to their colonies, ships, persons, and goods, by the hostile incursions and depredations of the French, in

time of peace . . .

XII. The most Christian King shall take care to have delivered to the Queen of Great Britain, on the same day that the ratifications of this treaty shall be exchanged, solemn and authentic letters, or instruments, by virtue whereof it shall appear, that the island of St. Christopher's is to be possessed alone hereafter by British subjects, likewise all Nova Scotia or Acadie, with its ancient boundaries, as also the city of Port Royal, now called Annapolis Royal, and all other things in those parts, which depend on the said lands and islands . . .; and that in such ample manner and form, that the subjects of the most Christian King shall hereafter be excluded from all kind of fishing in the said seas. bays, and other places, on the coasts of Nova Scotia, that is to say, on those which lie towards the east, within 30 leagues, beginning from the island commonly called Sable, inclusively, and thence stretching along towards the south-west.

XIII. The island called Newfoundland, with the adjacent islands, shall from this time forward belong of right wholly to Britain; and to that end the town and fortress of Placentia, and whatever other places in the said island are in the possession of the French, shall be yielded and given up, within seven months from the exchange of the ratifications of this treaty, or sooner, if possible, by the most Christian King, to those who have a commission from the Queen of Great Britain for that purpose. . . . Moreover, it shall not be lawful for the subjects of France to fortify any place in the said island of Newfoundland, or to erect any buildings there, besides stages made of boards, and huts necessary and usual for drying of fish; or to resort to the said island,

beyond the time necessary for fishing, and drying of fish. But it shall be allowed to the subjects of France to catch fish, and to dry them on land, in that part only, and in no other beside that, of the said island of Newfoundland, which stretches from the place called Cape Bonavista to the northern point of the said island, and from thence running down by the western side, reaches as far as the place called Point Riche. But the island called Cape Breton, as also all others, both in the mouth of the river of St. Lawrence, and in the gulph of the same name, shall hereafter belong of right to the French, and the most Christian King shall have all manner of liberty to fortify any place or places there.

XIV. It is expressly provided, that in all the said places and colonies to be yielded and restored by the most Christian King, in pursuance of this treaty, the subjects of the said King may have liberty to remove themselves, within a year, to any other place, as they shall think fit, together with all their moveable effects. But those who are willing to remain there, and to be subject to the Kingdom of Great Britain, are to enjoy the free exercise of their religion, according to the usage of the church of Rome, as far as the laws of Great Britain.

ain do allow the same.

THE GENESIS OF GEORGIA, 1717

The grant of territory by the Lords Proprietors of the Province of Carolina to Sir Robert Montgomery for the founding of the Margravate of Azilia. Text from Sir Robert's "Discourse Concerning the design'd Establishment Of a New Colony to the South of Carolina, in the Most delightful Country of the Universe." London, 1717, pp. 3–5. (See page 62.)

The underwritten Palatine and Lords Proprietors of the Province of Carolina, do on the Considerations herein after mention'd, grant, sell, alien, release, and confirm to Sir Robert Mountgomry, Baronet, his Heirs, and Assigns, for ever, all that Tract of Land, which lies between the Rivers Allatamaha, and Savanna, together with the Islands, Ports, Harbours, Bays, and Rivers on that Part of the Coast, which lies between the Mouths of the said two Rivers to the Seaward; and moreover all Veins, Mines, and Ouarries of Gold, and Silver, and all other whatever, be they of Stones, Metals, or any other Things found, or to be found within that Tract of Land. and the Limits aforesaid; With Liberty over and above to make Settlements on the South Side of Allatamaha River, which Tract of Land the said underwritten Lords do erect into a distinct Province, with proper Jurisdictions, Privileges, Prerogatives, and Franchises, Independent of, and not Subject to the Laws of South Carolina, to be holden of the said Lords by Sir Robert, his Heirs, and Assigns for ever, under the Name and Title of the Margravate of Azilia; at and under the

DISCOURSE

Concerning the design'd

ESTABLISHMENT

Of a New

COLONY

TO THE

South of Carolina,

IN THE

Most delightful Country of the Universe.

By Sir Robert Mountgomery, Lironet.



LONDON:
Printed in the Year. 1717.

yearly Quitrent of one Penny Sterling per Acre, or its Value in Goods, or Merchandise, as the Land shall be occupied, taken up, or run out; Payable yearly to the Lords Proprietors Officers at Charles-Town, but such Payment not to commence, till three Years after Arrival of the first Ships there, which shall be sent over to begin the Settlement; over and above which Penny per Acre, Sir Robert, his Heirs, and Assigns, shall also yield, and pay to the Lords Proprietors, one fourth Part of all Gold, or Silver Oar, besides the Quota reserv'd to the Crown out of the said Royal Minerals: Distinct Courts of Judicature to be erected, and such Laws enacted within the Margravate, by and with the Advice, Assent, and Approbation of the Freemen thereof in Publick Assembly, as shall be most conducive to the Utility of the said margravate, and as near as may be conveniently agreeable to the Laws, and Customs of England, but so as such Laws do not extend to lay Duties or Custom, or other Obstruction upon the Navigation of either of the said Rivers, by any Inhabitant of South, or North Carolina, or their free Commerce and Trade with the Indian Nations, either within, or to the Southward of the Margravate, Sir Robert consenting that the same Duty shall be charg'd on Skins within the Margravate. which at this Time stands charg'd on such Skins in South Carolina, and appropriated to the Maintenance of the Clergy there, so long as that Duty is continued in South Carolina, but the said Duty, shall not be encreas'd in Azilia, tho' the Assembly of South Carolina shou'd think fit to encrease it there, nor shall it longer continue to be paid, than while it shall remain appropriated, as at present, to the Maintenance of the Clergy only: In Consideration of all which Powers, Rights, Privileges, Prerogatives, and Franchises, Sir Robert shall Transport at his own Expence, a considerable Number of Families with all Necessaries for making a new Settlement in the said Tract of Land, and in Case it be

neglected for the Space of three Years from the Date of this Grant, Then the Grant shall become void, any Thing herein contain'd to the contrary notwithstanding. Dated *June* the Nineteenth, 1717.

Cartaret. Palatine.
Ja. Bertie for the
Duke of Beaufort.
M. Ashley.
John Colleton, &c.

South Carolina's Plea for the Protection of the Crown, 1719

Letter of Francis Yonge, "To the Right Honourable John Lord Carteret, Lord Lieutenant of Ircland, &c." accompanying a "Narrative of the Proceedings of the People of South Carolina, in the year 1719." From Peter Force's "Tracts and Other Papers Relating to the Origin, Settlement, and Progress of the Colonies in North America," Vol. II., Washington, 1838. (See page 54.)

My Lord,

The People of South-Carolina are now forced, (by the Lords Proprietors Application to His Majesty for a Restitution of their Government) by me (their Agent) to set forth the true Cause of their Proceedings in the Year 1719, to put themselves under the Protection and Government of the Crown; for which they do not plead Law, but Necessity. The World, from the Knowledge they have of your Lordship's Humanity, Honour, and Good-Nature, will be induc'd to conclude, You will not insist upon what may be strictly Your Right, where the Lives and Estates of upwards of Seventeen Hundred Families may be endanger'd thereby.

I presume also to say, It is equally the Lords Proprietors as the Peoples Interest, that Province should be govern'd by the Crown, who only can protect that Frontier Colony: For if the Inhabitants are ruined and drove off the Country, their Lordships must, in some sort, be Sufferers with them; not to mention the Expence it saves them, of a Salary to a Governor and other

Officers of the Government. And tho' I would be thought far from prescribing Rules to their Lordships, I dare venture to say, that under proper Regulations, Their Estates may be better Augmented and Receiv'd under His Majesty's Government, than under their own, and it would be a Reciprocal Advantage, as well as to the Province as Themselves.



MAP OF CAROLINA (From Moll's Atlas, 1717) 257

I have been forced, in the following Narration, to lay some Mismanagements to the Lords Proprietors Charge, which I do truly believe, if your Lordship had not been then on your Embassy in Sweden, I should not have had Occasion to mention, for they would not have been: But as Truth, and the necessary Apology of the People who employ me, have constrained me to it, without the least Intention of blemishing any One's Character; so I hope for their Pardon, and more particularly for that of your Lordship, from whom I have receiv'd so many Favours: And I beg leave to assure your Lordship, that I am, with the greatest Respect and Deference,

My LORD,
Your Lordship's
Most Obedient, and
Most Humble Servant,
F. Yonge.

ESTABLISHMENT OF THE COLONY OF GEORGIA, 1733

Text in "A Brief Account of the Establishment of the Colony of Georgia, Under Gen. James Oglethorpe, February I, 1733," in Peter Force's "Tracts and Other Papers Relating to the Origin, Settlement, and Progress of the Colonies in North America," Vol. I., Washington, 1835. (See page 64.)

PROCEEDINGS OF THE TRUSTEES

London, July 22, 1732:—On Thursday last, the Trustees for establishing the Colony of Georgia in America, held their first regular meeting. Their Charter was read; as also, a certificate from the Lord Chief Baron of his Majesty's Exchequer, by which it appeared that Rt. Hon. the Ld. Visc. Percival had qualified himself as President, and taken the oath for the faithful administration of his trust. Then, the President administered the oath for the faithful administration of their trust, to the several Trustees present.

ARRIVAL OF THE FIRST COLONISTS

Charlestown, Jany. 20.—On Saturday night 13th of January, 1733, came to anchor off our bar, a ship with about 120 people, for settling the new Colony of Georgia, in which was James Oglethorpe, Esqr; who came ashore

that night, and was extremely well received by his Excellency, our Governor. The next morning, he went on board; and the ship sailed for Port Royal:—and, we hear, there are two more ships with people (which will make the number 500) expected daily.



GENERAL JAMES OGLETHORPE (Age 92) 260

GEN. OGLETHORPE'S SPEECH BEFORE THE ASSEMBLY OF SOUTH CAROLINA, JUNE 9, 1733

On Saturday 9th of June, 1733 James Oglethorpe, Esqr. made a very handsome speech to the Hon. Commons House of Assembly, returning them thanks for the encouragement they gave to the settling of Georgia.

It is as follows:—

Speech of James Oglethorpe before the Provincial Legislature of South Carolina

I should think myself very much wanting in justice and gratitude, if I should neglect thanking your Excellency, you Gentlemen of the Councel, and you Gentlemen of the Assembly, for the assistance you have given to the Colony of Georgia. I have long wished for an opportunity of expressing my sense of the universal zeal, which the inhabitants of this Province have shewn for assisting that Colony; and could not think of any better opportunity, than now the whole Province is virtually present in its General Assembly. I am, therefore, Gentlemen, to thank you for the handsome assistance given by private people, as well as by the public. I am to thank you, not only in the name of the Trustees, and the little colony now in Georgia; but in behalf of all the distressed people of Britain and persecuted Protestants of Europe, to whom a place of Refuge will be secured by this first attempt.

Your charitable and generous proceeding, besides the self-satisfaction which always attends such actions, will be of the greatest advantage to this Province. You, Gentlemen, are the best judges of this; since, most of you have been personal witnesses of the dangerous blows this country has escaped from French, Spanish, and Indian arms. Many of you know this by experience, having signalized yourselves personally; either, when

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VOL. III.—18

TRUE and HISTORICAL

NARRATIVE

Of the COLONY of

GEORGIA.

In America,

From the First Settlement thereof until this present Period:

CONTAINING.

The most authentick Facts, Matters and Transactions therein.

TOGETHER WITH

His Majesty's Charter, Representations of the People, Letters, &c.

AND

A Dedication to His Excellency General

By PAT. TAILFER, M. D.
HUGH ANDERSON, M. A.
Da. Douglas, and others,

Land-holders in Georgia, at prefert in Charles-Town in South-Carolina.

Qui Deorum
Muneribus fapienter uti,
Duramq, callet Pauperiemq, pati,
Pejufq; Letho Flagitium timet,
Non ille pro caris Amicis
Aut Patria timidus Perire. H. 4.0

CHARLES-TOWN, SOUTH-CAROLINA: Printed by P. TIMOTHY, for the Authors, 1741.



(Tomo-chi-chi Mico and his nephew Tooanahowi who influenced the Indians to cede the desired lands in Georgia to General Oglethorpe.)

this Province by its own strength, and unassisted by every thing but the courage of its inhabitants, and the providence of God, repulsed the formidable invasion of the French; or, when it defeated the whole body of the southern Indians, who were armed against it, and invaded the Spaniards, who assisted them. You, Gentlemen, know there was a time, when, every day brought fresh advices of murders, ravages, and burnings; when, no profession or calling was exempted from arms; when, every inhabitant of the Province was obliged to leave their wives, their families, their useful occupations, and undergo all the fatigues of war, for the necessary defence of the country; and, all their endeavors scarcely sufficient to defend the western and southern frontiers

against the Indians.

It would be needless for me to tell you, who are much better judges how the increasing settlements of the new Colony upon the Southern frontiers, will prevent the like danger for the future. Nor need I tell you, how much every plantation will increase in value, by the safety of the Province's being increased, since the Lands to the southward already sell for above double what they did when the new Colony first arrived. Nor need I mention the great lessening of the burthen of the people, by the increasing of the income of the Tax. from the many hundred thousand acres of land, either taken or taking up on the prospect of future security. The assistance the Assembly have given, tho' not quite equal to the occasion, is very large, with respect to the present circumstances of the Province; and, as such, shews you to be kind benefactors to your new-come countrymen, whose settlements you support; and dutiful subjects to his Majesty, whose revenues and dominions, you by that means increase and strengthen.

As I shall soon return to Europe, I must recommend the infant Colony to your farther protection; being assured, both from your generosity and wisdom, that you will in case of any danger and necessity, give them

the utmost support and assistance.

Governor Burnet in Defence of Paper Money, 1740

Governor Burnet of New York wrote to the Lords of Trade in 1724 relative to the financial condition of the colonies, in order first to obtain permission for the making of bills of credit, and second to correct misrepresentations that had been made by merchants in London. Text reprinted from Documents relative to the Colonial History of the State of New York, London Docs., 1855, Vol. V., pp. 735–738. (See page 145.)

Governor Burnet to the Lords of Trade.
[New-York Papers, Cc., 153.]

New York 21st Nov 1724

My Lords

With my last of the IIth Nov^r I sent your Lordships Duplicates of the authentick Acts of Assembly passed in 1723 Now I enclose herewith to M^r Popple the authentick [acts] of Assembly past in July last

I The first of these is an Act for raising and Levying the sum of six thousand six hundred and thirty pounds, for the supplying the Deficiencys of His Majestys Revenue, and for the several uses and purposes therein mentioned, and for making of Bills of Credit for that value.

This act sets forth in the Preamble, the several uses, and in the body of the Bill, the Sums provided for those uses, which are—

1st To supply the Deficiency in his Matys Revenue,

£2521.15.3/4

2^{dly} To repair the Buildings of the Fort 2000.p.o.

3^{rdly} To pay the arrears of Salary due to the Agents

in England, £600.0.0.

4^{thly} Towards encouraging the Far Indians to trade with us, and keep the 5 Nations true to His Matys Interest £200.0.0

5^{thly} To supply the Deficiency in the Fund for cancelling Bills of Credit struck in 1715 the sum of £1200.0.0 6^{thly} For the charges of Printing & signing these Bills of Credit, £108.4.1/4

Which makes up the sum total of 6630£

After the uses of the money are explained the Reasons for Striking Bills are next expressed—That the officers of the Government must otherwise be kept out of their money for a very long time & have difficulty to subsist that the Buildings of the Fort are so ruinous as to want immediate Repairs and that there is danger in all delays to engage the Indians in our Interest

The means of assessing these Levys on the Real & Personal Estates of ye Inhabitants, has nothing in it different from former Acts and the nature of the circulation of these Bills, and ye Provision for sinking them do not at all deviate from the Acts formerly passed for the same purpose So that there is no further need of explanation of these Particulars

But this being an Act for making Paper Money, tho' within my additional Instruction which allows of such Acts when they are for raising or levying a publick

Revenue

I think myself obliged to offer to your Lordships Reasons that are in my poor opinion sufficient to justify

it and other Acts of this Nature with the same pre-

I am very sensible of the disadvantage I lye under in writing upon this argument, and the misfortune it is



WILLIAM BURNET (Colonial Governor of New York and New Jersey)

to any cause to have already appeared in an odious light, as I am but too well convinced is the case of paper money Acts in the Plantations, by your Lordships last words in your letter of the 17th of june—That Bills for encreasing of Paper money will meet with no encourage-

ment—I hope your Lordships will not think it presumption in me even after this declaration to endeavor to give you a more favorable opinion of such Acts and if I go too far in this, it is owing to the encouragement your Lordships have given me by receiving what I have offered on all occasions in so kind a manner and admitting the best constructions that my weak Reasoning will bear

I have already in my letter of the 12th of May last used several Arguments to justify the Paper Act in New Jersey, and therein I observed how well the Bills of New York keep up their credit and the reasons why they have not fall'n in value as those of Carolina and New England and that under a good regulation these Acts are both of Service to the Trade of the Plantations and of great Britain, for which that I may not repeat I beg leave to refer to my said letter of the 12th of May last and desire your Lordships would again take into your consideration when you are to determine your opinion on this present Act.—

But there are many things there only hinted at which I shall now lay before your Lordships and in which I shall chiefly argue from what is to be gathered from experience in Great Britain itself from observing the nature of credit and the events it has under gone, and in this I hope I may be the more patiently heard because what experience I have was purchased at no very

cheap rate

Credit ought to be supported if it is possible, both by reason and common opinion. Reason tho ever so strong will not always do alone in the Beginning if common opinion is against it but it will carry all before it at the long run: Common opinion or humor will generally do for a time without reason nay, against it But then it is often attended with vast mischeif and danger—Of this we have a fatal Instance in the famous Sea Scheme, which being left to common opinion without any re-

straint has produced the most terrible effects possible. If there had been a possitive Law, making all Bargains for South Sea Stock above some fixed Price as 150. void and making it a legal tender at 100 all these mischeifs would have been avoided but this would have been called compulsive Paper Credit, yet because in Reason it is worth so much as long as the Nation stands and because the Parliament has always kept their engagements all clamors against this would soon have blown over and no enemies would have been found to it but Brokers

To make this appear it is enough to prove, that at the bottom all the present voluntary credit stands upon this

very foundation at last & no other

It is very certain that there is no proportion between the Specie & the great quantity of Bank Bills and Bankers Notes, commonly current who lend their notes on the several Branches of Government Securitys and seldom at a Rate under par very often above par When the Government is safe this would do when there is any danger, Common opinion pulls down her own work & Bankers break in abundance, and the Bank itself is put to Extremitys. An Instance of this I remember at the time of the Preston affair—The Bank would have broke in a few days, if the victory there had not happened as soon as it did

And the Reason was plainly this because when they had paid away all their Specie they had nothing left but Exchequer Notes, and such other Securitys to exchange for their remaining Bank Notes and these would have been at such a discount that they must have broke, and compounded for such Payment at the Best

Thus it is plain that the foundation in Reason of the credit of the Bank itself, not to speak of Private Goldsmiths is the Government Security remaining at Par and yet the Parliament is so good as to provide an interest on these Exchequer Bills, and to pay the Bank

so much more per cent for circulation whereas in fact when foul weather comes the Bank is a Staff of Reed and must lean on the Government to prop itself up and so increase the load instead of easing it

And this humour keeps up the imaginary value, when there is no real occasion for it; all Government Securities being at the same time commonly above par But



FACSIMILE OF A COLONIAL NEW YORK TEN-POUND BILL

upon any ill News the like Humor beats down all voluntary credit, in the same manner as it does Exchequer Bills &c and really carries the General Discredit as much further than it ought as it had advanced beyond its reasonable bounds before and if once the Bank had broke, then all this would have appeared to a demonstration

But the Bank is yet a Virgin, and the exchequer was once shut up in King Charles's Reign tho' I think she has since fully made up for the Sins of her Youth by punctual Payment for thirty or forty years last past

If then instead of these secondary instruments of circulation the Parliament should think fit to make all Parliamentary Paper Credit a Tender at Par and that

it be received in all Taxes as well as paid, which is doing with private persons, as the publick is done by I can not see that it would be any injustice, nor more liable to danger, than the present methods of circulation are. It may be objected that this is a french way of proceeding to declare the value of money by edict, but it is easy to answer that the Laws of a Free Government are not at all like the Edicts of an arbitrary one and that it is as unsafe in France to trust the Bankers, as the Government, for when the Government refuses to pay them, they they must break and so it would b in England,—The first Breach of Engagements in the Legislature to the Creditors of the Publick would break all the Bankers at once, and therefore what the Government does by their hands, and in which it is in effect their support it is capable of doing for itself, and if founded on Reason, tho against the present humour it will prevail in the end

I have already endeavored to shew the danger of Common Opinion in money matters, when no ways restrained by Law by the instance of the South sea

I may add that it is the same thing with Liberty in general if Mobs are entirely left to their common opinion or humor it is well known how fatal they may be to the publick safety and if the liberty of the poor which is now grown to such a Pitch of Licentiousness as to be the greatest Tax and greivance to the Nation were regulated by as severe and as practicable Laws as in Holland it would be of great use to the Publick

From all which I beg leave to conclude, that is not the names things get for the present but the real nature of them, that will be found to hold against all events & that in the instance of Paper money where it is regulated by just Laws and where the Publick have not acted contrary to them their credit is in reason better established than the credit of any private Persons or Society and that the method used to catch the common opinion

of mankind by offering them their money when they please is nothing but a fashionable Bubble which People are every day sufferers by when a Banker breaks & that even the best founded Societys can not maintain their Credit when there is the Greatest need of them. But that all Credit finally centers in the Security of ye Governmt

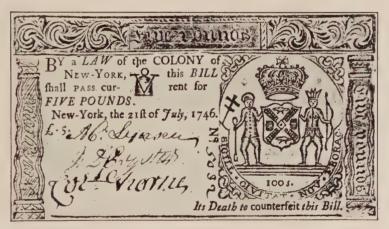
I take the liberty further to observe to your Lordships on how many occasions the Government of Great Britain has found it impracticable to raise all the money wanted within the year from whence all the present debts of the nation have arisen: The same necessity lyes often upon the Plantations where frequently a sum of ready money is wanted, which it would be an intollerable Tax to raise at once, and therefore they are forced to imitate the Parliament at home, in anticipating upon remote funds. And as there is no Bank nor East India company nor even private subscribers capable of lending the Province the money they want at least without demanding the extravagant Interest of 8 Pr Centw hich is the common Interest here, but would ruin the publick to pay since this is a Case there is no possible way left to make distant funds provide ready money, when it is necessarily wanted, but making paper Bills to be sunk by such funds. Without this Carolina would have been ruined by their Indian War Boston could not now support theirs nor could any of the Provinces have furnished such considerable Sums to the Expeditions against Canada Nor could at present any of the necessary repairs of this Fort be provided for, nor the arrears of the Revenue be discharged, which is done by this Act in a Tax to be levyed in 4 years nor indeed any publick Service readily and sufficiently effected

And I may add one thing more that this manner of compulsive credit does in fact keep up its value here and that it occasions much more Trade and business than would be without it and that more Specie is exported

to England by reason of these Paper Bills than could be if there was no circulation but of Specie for which reason all the merchants here seem now well satisfied with it

I hope your Lordships will excuse my being so long and earnest upon this head because it is a subject of the greatest importance to all the Plantations and what I humbly conceive has been often misrepresented by the Merchants in London

2 The next Act is for making Bills of Credit and putting the same in the Treasurers hands for exchanging therewith such Bills of Credit of this Province, as are torn and defaced. The constant use of these Bills in the Market, and among common people, had destroyed



FACSIMILE OF A COLONIAL NEW YORK FIVE-POUND BILL

so many of them that it was necessary in common justice to find a way to exchange them, when they were no longer fit to pass—Which is entrusted with the Treasurer because he gives five thousand pounds security for the due discharge of this office

3 An Act for regulating the Militia &c The former

act was expired and is now revived with some amendments

- 4 An Act for fortifying the City of Albany, This was attempted before but the Method in the former act was found defective which is endeavored to be remedied in this
- 5 An Act for continuing the acts made for prohibitg the selling of Indian Goods to the French with some alterations

This is a subject on which I have lately been so full & particular that I do not think there is any occasion to trouble your Lordships with Repetitions on this occasion some small defects and mistakes in the former are here corrected and the Acts only continued till November 1725

6 An Act to prevent Tenants to make Waste &c this was found to be very necessary to preserve the Interests of Proprietors which had been extremely damaged by the Licentiousness of Tenants

The remaining Acts are of small consequence, and I have nothing further to remark on them but barely to enumerate them

A Discourse Concerning Paper Money, 1741

The state of the currency in New England in 1741 was such that the confusion seemed almost impossible of solution. A writer who was anonymous addressed a letter to a merchant in London, that was published as a pamphlet in London in 1741 under the title, "A Letter to Merchant in London." This is one of the most illuminating documents on the state of New England finances prior to the Revolution. (See page 145.)

I Have the favour of yours of 1st December per the Bladen, with Copies of the Reports of the Board of Trade and Plantations, and of the Committee of Council for Plantation Affairs; concerning our Land-Bank so called: I observe that having examined into the Nature of the Scheme, and of the refusal of the House of Representatives to pay any Regard to the Governour's Message concerning the same; they approve of the Governour and Councils Proceedings, and do declare that the said Scheme appears to them to be not only Illegal, but of dangerous Tendency; and must create great Confusion, and Interruption in Business, as well to the Traders in New England, as in Great Britain and in Order that the said Land-Bank may be as speedily and effectually suppressed as possible, they are pursuing Methods to put a Stop to the same, until such Time as the Legislature of Great Britain shall take the State of the Paper Currencies of all the Plantations into Consideration.

You desire a particular Account of this monstrous (as you call it) Combination, lately made, to evade Resolves of Parliament, and King's Instructions; and to assume by Virtue of their Numbers, the establishing of Currency, which is absolutely the Prerogative of the Crown; you engage me to keep strictly to plain Facts, without Suggestions, and Surmises of my own, or of others: Therefore to avoid all Suspicion of Partiality, instead of a private Letter, I send it you published in the Place where is the Scene of Action.

I must premise a short Detail of our Plantations Paper-Effects Upon some Exigencys, there not being Cash in the Treasury sufficient, there was issued Treasury-Notes or Obligations, to be satisfied, or cancelled, in a short Time. The Goodness of the Merchants, to strengthen the Hands of the Government, gave these Notes Credit as Cash. Some Administrations took Advantage of this Credit given to their Notes, and imposed upon the Merchant egregiously:

1st, By issuing out too large Quantities of these Notes with long Periods, their publick Bills of Credit suffered a growing Discount.

2dly, That this growing Discount might not put a Stop to their Currency, those dependent Colonies by By-Laws of their own, assumed the King's Prerogative in Currencies; and made their own Notes a common Tender in Law.

3dly, But frequent postponing the Cancelling of those Bills they encouraged Postponing of private Debts, which has occasioned a general Insensibility of Discredit in all Trade, and Business.

4thly, Shop-Notes were never used in Payments, until publick Notes took Place, being their genuine Offspring; 276

A 1/41. x

LETTER 8.

TO

Merchant in London,

Concerning a late

Combination

in the PROVINCE of the

Massachusetts-Bay in New-England,

to Impose or Force

A

Private=Currency

called

Land-Bank-Money.

Printed for the publick G o o D.

174 I.

thus Tradesmen, Artificers, and other poor Labourers, are left to the Shop-keeper's Mercy, for their Pay in Goods, at any Rate.

5thly, This gave the Hint to Combinations for emitting private Bills of Credit, which, if not speedily and effectually quash'd, will inevitably produce Mutiny, Sedition, and Riots.

In Massachusetts-Bay, we have at present an unaccountable Confusion of Paper Currency: Publick Bills of Credit, viz. The old Bills of the four Provinces of New-England, at Twenty nine Shillings per Ounce, Silver: Massachusetts new Tenor, at Six Shillings and Eight Pence but current at Nine Shillings and Eight Pence. Connecticut new Tenor, at Eight Shillings. Rhode-Island new Tenor, at Six Shillings and nine Pence.

Private Bills of Credit. 1st, Silver Money Scheme or Merchants Notes, whereof One hundred & ten thousand Pounds Value was emitted, Anno 1733, to prevent an enormous Rhode-Island publick Emission, from depreciating our Currency: These Bills continue to be punctually paid in Gold and Silver as they become due, and are at present 33 per Cent. better than Province Bills.

2dly, Another Sum of Merchant Notes, value One hundred and twenty thousand Pounds, emitted, Anno 1740, on a Silver Bottom, projected to stifle that pernicious grand Bubble called The Land Bank. Those Bills, consider'd abstractedly, are advantageous to the Possessor; being payable upon Demand in a legal Currency, they are equivalent to Cash; and carrying a growing Profit of 3 per Cent. per Annum, they are better than Province Bills, and (if otherways regular) as good as the Stocks and Companies Bonds in London: The Signers without further Recourse upon the Partnership, being our most eminent and wealthy Traders, are capable, when re-

quired, to call in, and pay off, all their Bills upon a short Sight.

Nevertheless, it was always my Opinion, That all private Emissions, designed as a common Currency, with-



FACSIMILE OF A COLONIAL BANK BILL 279

out a Patent from the Prerogative, are irregular and illegal: A private Person who strikes a Crown Piece, tho' equal, or better, in Weight and Fineness, than a royal Crown Piece, is equally, in the Eye of our Laws, tho' not in itself, culpable, as a Person who strikes a brass Crown silvered.

3dly, The Land-Bank, or Manufactory Scheme, (the designed Subject of this Letter) being a late Combination of a vast Multitude of necessitous, idle, and extravagant Persons; with all the Signs of a genuine Bubble: contriv'd to have what they call Money, at an easy Rate; and to pay their Debts in a precarious fallacious Kind of Bills, very ill, or not at all, secured; of no determined Value; bearing no Interest; not payable (the Possessor cannot oblige to an Acceptance) until after twenty Years, and being a very large Sum (equal to all the then provincial Bills of New-England) of Six hundred thousand Pounds, will, if not remedied, depreciate all Paper Currencies, that are not determined by a Silver Value, consequently prove a great Prejudice to private Property in the Province, and great Loss and Damage to the Merchants of Great-Britain, trading to New-England.

Your surmise is groundless, That perhaps some of our Merchants, who have suffered much by depreciating publick Bills, have, *jesuitically*, and as it were behind the Curtain, *prompted* the unthinking Multitude, to a *Scheme*, running into unheard of Extremities of Sum, and Period; and at this critical Time, when all Paper Money is under the *Censure* of the *Boards* and *Parliament* of *Great-Britain*, on purpose to bring the *Parliament* under the Necessity of speedily and effectually suppressing Paper Money of all Kinds.

The *Rise* of this *Scheme*, was from a few evil-minded Men, contrived only for their own Benefit, and have

admitted a great Multitude of Subscribers, by their Numbers to give it a Circulation, and to contribute towards indemnifying them against all Acts of Government. Its being contrived only for the Benefit of the Directors, appears by their Constitution.

1st, They are to be Directors in Perpetuity.

2dly, They are to have a Negative in all Resolves of general Meetings.

3dly, Their Sallaries, other Charges of Management, and their living sumptuously, at Free-Cost, will amount to Two per Cent. per Annum, of the original Stock; (the original South Sea Stock of Ten Millions was allowed only Eight thousand Pounds for Management, which is scarce One 12th per Cent. per Annum) They deign to convert Sixty thousand Pounds of the principal Stock into Trade, that they may have a greater Latitude of imposing upon the Partnership. The Bank of England, and all other well constituted Banks, are restricted from trading, that their Stock may remain good at home, ready to answer all Demands. Their ludicrous Pretence is, That since the Merchants will not sell them Goods for this worthless Money, they will import all sorts of Merchandise, for the Benefit of the Partnership: Their Directors cannot seriously pretend to understand Trade, only one of their Number is called Merchant, or rather a Factor for some Marooners or Logwood-Cutters, in the Bay of Honduras.

4thly, They alter the Articles of Partnership at Pleasure, without Consent of a general Meeting, pretending (contrary to all good Regulation) that private Consent of the Members, without Deliberation or Debate, is sufficient; this is the Reason of their Scheme being so often botched: Their Scheme now sent to you, is their

BESEBEES BESEBES

An Inquiry

INTO THE

Nature and Uses of Money;

More especially of the Bills of Publick Credit, Old Tenor.

A PROPOSAL of fome proper Relief in the present Exigence.

A Reply to the Essay on Silver and Paper
Currences

BOSTON: Printed and Sold by SKNEELAND &T.GREEN over against the Prison in Queenstreet. 1740.

DEBEBEBEBEBEBE

last, as it stands in the County Register; it was refused a Record in the Secretary's Office: How soon it may be alter'd, we know not.

5thly, The County Registers being lately search'd by Order of the Governour and Council, to find out the civil and military Officers, guilty in this Combination; It was discovered, That the principal Projectors, or Bubblers, the Directors, &c. had given no Security to the Partnership for their good Management, and for their Quota of this Money, taken up some Months since; The sham Reason they give, of being very busy; is not only weak, but fully discovers the Cheat and Imposition; because in all well order'd honest Schemes, the Directors, or Managers, are the first who give Security.

You desire to know the Nature of our landed Interest, which by these evil-designing Men, is set up in competition with the trading Interest. In Great-Britain, the Landed-Interest consists generally of Gentlemen very Rich, with valuable Rent-Rolls; Our Freeholders generally are labouring Men, who earn less, and fare worse, than many in Boston, and without any Rent-Rolls. Indulge me here, to cast a Vail over the Nakedness of our Country: This Country seems designed by Nature for Trade, not for Produce: We Import Provisions at much easier Rates from the Southern Provinces, than we can afford to raise them here. I am concerned in Lands, and therefore can have no sinister End in disparaging of them. On the other side, Our Trade is not Inferiour to that of any of his Majesty's Plantations; and Our Navigation much exceeds any of them. The Truth is shortly this; The Debtor part of the Country (which is vastly the most numerous) are contriving to baulk their Creditors by reducing the Denominations of Money (by their huge and ill-secured Emissions) to a small or no Value; that they who have

laudably acquired Fortunes by Industry and Frugality, may reap no Benefit thereof, but be upon a level with the Idle and Extravagant: We all have learnt by Ex-



FACSIMILE OF A COLONIAL MASSACHUSETTS BILL FOR NINE PENCE

perience that large Emissions with distant Periods, have sunk a great Part of Debts, without any Consideration.

The Projectors gave to this *Bubble* the specious Name of, *A Bank:*—It has not the least Affinity to Banking. *Banking* is issuing of Cash-Notes, payable upon Demand: or Merchants having lodged their Cash, the *Bank transfers* Cash from one Merchant's Folio, to that of another, when required.

Ist This Sham-Bank has no Stock in their Treasury; and the Face of their Bills promising to accept them for Stock in the Treasury is an arrant Bubble: It is true, that for some short Time the Directors decoyed some Graziers and Hog-Drivers, to part with their Provisions for this their Land-Bank Money, but have ship'd it off in Trade for the Profit of the D——, and perhaps to help to indemnify themselves when obliged to make good the Bills by them signed.

2dly, These Bills, tho' carrying no Interest, cannot make an effectual Demand of Acceptance till after Twenty Years, and then not payable in current Cash, but in Goods of an Arbitrary Assortment and Value.

3dly, As Produce and Manufacture are more valuable than depreciating Bills; all Payments of the Partnership of Interest, and Parts of Principal, will be in these Bills; and consequently no Produce, or Manufacture, will be found in their Treasury.

4thly, Being no Body-Corporate, they are under no Limitation: The Directors, who are for this very Purpose the Signers, may and will emit Bills in *indefinitum*, or until at length their Value become near equal to the Charge of manufacturing them.

5thly, If we can suppose their Board of Bill-Makers to be honest-Men, and that in Conscience (they having no other Check but Conscience) they emit no more than

according to the first Articles, as they have no exclusive Patent, any other Number of desperate Men may follow the same Money-making Trade, and Bills may multiply as in the former Case.

6^{thly,} In other Countries, the Opulent, the Honest, the Men of Credit, become Bankers; here the *Indigent*, the *Debtors*, the *Fraudulent*, set up for *Bankers:* A Bank of a Numerous, but *poor* People, who pretend to circulate *l.* 600,000 without any stock.

7thly, To compleat the Farce, the Securities for circulating and paying off these Bills, are within themselves, and may be stifled at Pleasure.

This Scheme is founded upon a Projection, disapproved of by the General Assembly A. D. 1714; but is more Iniquitous; That of A. D. 1714, required the Persons in Trust, particularly the Treasurer to be of good Interest, known Integrity, and Reputation; and the Treasurer to give l. 10,000 Security; The Directors to be distinct from the Trustees, and to be chosen Annually at a General Meeting; a Committee distinct from the Directors to perfect and Sign the Bills.

The Projectors and Managers of this Scheme have *Debauched* the Minds of the People, by Instilling unto them some pernicious Principles, destructive of all Society, and good Government;

Ist, That common Consent, or the Humour of the Multitude, ought to be the Ratio Ultima in every Thing and particularly in Currencies; whereas not only according to the Constitution of Great-Britain, but of all polite Governments, Money or Currencies are the Prerogative of the Sovereigns, and have followed the universal Custom of Merchants, whereby Silver from its own natural Qualifications, could not avoid becoming the universal Medium of Trade. If we may suppose a

A

DISCOURSE

Concerning the Currencies

OF THE

British Plantations

N

America.

Especially with Regard to their Paras Money?

More Particularly,

In Relation to the Province of the Massachusetts-Bay,

IN

NEW ENGLAND

BOSTON: Printed and Sold by SKNEELAND &T. GREEN over against the Prison in Queenstreet. 1740.

Country entirely separated from the trading Part of the World, common Consent may admit of any Thing for a Currency, according to the Humour, or Profit of the Projectors; but this will fluctuate from one thing to another, until at length the most proper Material obtain a permanent Consent: It is doubtless a high Misdemeanour to assert strenuously, the Priviledge of the People, to emit and pass any Thing as a Currency, in defiance, of the King's Prerogative of Currency.—Middleton, a neighbouring Town, has lately unanimously voted, that This Bank-Money shall be received as Cash for Town-Rates.

2dly, That every Landed Man, even to the mort-gaging of his last Acre, has a Right to make Money: This is a most destructive and wicked Principle, the Security and Bulwark of a Country, are these People who have valuable Possessions and Effects to loose; whereas they who are much in Debt, become desperate, and bad Subjects, and have nothing to hinder them from relinquishing their Country to the first Invader.

Thirdly, That the industrious Merchants, and frugal monied Men, are the Bane of a Country; because they expect their Debts and Dues to be honestly paid: Whereas a Country without Trade is of little Value, and would soon return to its primitive Waste. People of Genius for Trade grow rich by the Labour of Peasants, and the Peasants or Labourers happy by being employed: This Province noted for Trade, would soon become a Habitation of rude Rusticks.

4thly, To value themselves as being formidable by their Numbers, Two Thousand Principals, as they publish, and many Thousand Abettors: This is Ruffian like, by Superiority of Numbers, to endeavour to make honest People buy the Rabbit. Such dangerous bare-fac'd

Combinations, are not to be conniv'd at in Government: they openly threaten, that in the next Assembly, no Body shall be a Representative, or of the Council, but those who are Principals or Abettors in this Scheme; and thus have formed an Imperium in imperio. If this Wickedness of Combinations, under the Name of Banking, should spread into our neighbouring Charter Governments (in Providence of Rhode-Island they have gone some Lengths in it) where all the Negatives, or Branches of the Legislature are elective by the People; they would become Masters in all Affairs of Legislature and Government; their Dependance upon and Subjection to Great-Britain, would soon vanish. At this Time, in Neglect or Contempt of the Resolves of Parliament, and subsequent King's Instructions, Connecticut have emitted One hundred and eight thousand Pounds, and Rhode Island, Eighty thousand Pounds, Province Bills.

5thly, By the inclosed News-Papers, printed in Boston, you may see, and we here upon the Spott do daily hear, how the Managers spirit the People to Mutiny, Sedition, and Riots: One gives it for Law, That no Orders from the Boards at Whitehall, nor Acts of Parliament, can put a Stop to their Proceedings; Others say, We shall humble the proud Merchants; That if the Merchants will not receive these Bills in Pay, they must blame themselves for any Outrages that may happen; That We had as good perish by the Sword as by Famine, that is, by being Dragoon'd, as by Want of Money; That upon a French Invasion, if we submit, We cannot be worse than at present; that is poor and in Debt; because the Government or private Combinations will not let us have Paper Money, to the Ruin of the good People of the Province.

You desire to know what has been done by the Government of the Province towards their Suppression: One of the Negatives, I mean the House of Representatives, stand out; so that the Legislature can do nothing. The Governour and Council have acted with much Prudence and Fortitude; and are dismissing all Officers, Civil and Military, of their Appointment, who are concerned in this Combination; only the Chairman of the Directors, and the Indorser, their Commissions or Warrants being from Great-Britain, cannot be dismiss'd; but their Dismissions, by their Constituents at home, may be expected.

You take the Liberty to surmise, a Liberty which you would not allow to me;

Ist, That for the present, the most summary Way of proceeding against this Combination, would be, To send for the Treasurer, Directors, and Indorser, to Great-Britain, by a Messenger, with a Secretary of State's Warrant, to bring them upon Examination, concerning this high Crime and Misdemeanour: But this would ruin them in their small Fortunes, and render them less capable to satisfy the Possessors of the Bills, when returned upon them.

2dly, That the Mortgages of Lands in the Partner-ship cannot be sued out by the Managers; because there was no valuable Consideration received. Thus the Possessors having only the Estates of the Signers liable, would not receive above Two Shillings in the Pound.

3dly, That the Possessors having had sufficient Warning from the Government, can claim none of their Compassion.

We hope that the Government, who are the Parents and Guardians of the People, will act, as natural Parents do with their Children, guilty of some Follies, after repeated Admonition.

In all Bubbles, Combinations, &c. the Guilt of the Projectors and Managers is from a corrupt Principle; but the Error in their Followers, the Multitude, is only from a Mistake in Judgment.

I have now given you my Tho'ts of this singular Peice of Iniquity, in the most impartial Manner I am able, and hope it will be satisfactory to you, assuring you I am, with all possible Respect,

Your devoted

New England, Boston, Feb. 21st 1740,1.

humble Servant.

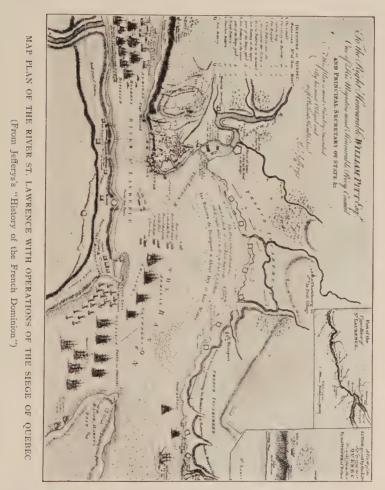
P. S. We find by our last printed News-Paper, that this grand Combination, amongst other mischievous Effects, is become productive of smaller iniquitous Combinations of *Tradesmen* and *Artificers* as to their Pay, &c.

How Wolfe Won Canada for England, 1759

The most detailed narrative of Wolfe's victory at Quebec, on September 13, 1759, is that by Captain John Knox, who participated in the engagement and subsequently published in London in 1769 his "Historical Journal of the Campaign in North America" compiled from the notes he made daily. The following extracts are from Vol. II. of that work, pp. 67–79. (See page 96.)

Before day-break this morning (Thursday, September 13, 1759) we made a descent upon the north shore, about half a quarter of a mile to the eastward of Sillery; and the light troops were fortunately, by the rapidity of the current, carried lower down, between us and Cape Diamond; we had, in this debarkation, thirty flatbottomed boats, containing about sixteen hundred men. This was a great surprise on the enemy, who, from the natural strength of the place, did not suspect, and consequently were not prepared against, so bold an attempt . . . the General, with Brigadiers Monckton and Murray, were a-shore with the first division. We lost no time here, but clambered up one of the steepest precipices that can be conceived. . . . As soon as we gained the summit all was quiet, and not a shot was heard, owing to the excellent conduct of the light infantry under Colonel Howe; it was by this time clear day-light. Here we formed again, the river and the south country in our rear, our right extending to the town, our left to Sillery. . . . The general then detached

the light troops to our left to route the enemy from their battery, and to disable their guns, except they could be rendered serviceable to the party who were to remain



there; and this service was soon performed. We then faced to the right, and marched toward the town by files, till we came to the plains of Abraham; an even

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piece of ground which Mr. Wolfe had made choice of, while we stood forming upon the hill . . . about six o'clock the enemy first made their appearance upon the heights, between us and the town; whereupon we halted, and wheeled to the right, thereby forming the line of battle. ... The enemy had now likewise formed the line of battle, and got some cannon to play on us, with round and canister shot; but what galled us most was a body of Indians and other marksmen they had concealed in the corn opposite to the front of our right wing, and a coppice that stood opposite to our center, inclining towards our left. . . . About eight o'clock we had two pieces of short brass six-pounders playing on the enemy, which threw them into some confusion, and obliged them to alter their disposition; and Montcalm formed them into three large columns; about nine the two armies moved a little nearer each other. . . . About ten o'clock the enemy began to advance briskly in three columns, with loud shouts and recovered arms, two of them inclining to the left of our army, and the third towards our right, firing obliquely at the two extremities of our line, from the distance of one hundred and thirtyuntil they came within forty yards; which our troops withstood with the greatest intrepidity and firmness, still reserving their fire, and paying the strictest obedience to their Officers: this uncommon steadiness, together with the havoc which the grape-shot from our field-pieces made among them, threw them into some disorder, and was most critically maintained by a welltimed, regular, and heavy discharge of our small arms, such as they could no longer oppose; hereupon they gave way, and fled with precipitation, so that, by the time the cloud of smoke was vanished, our men were again loaded, and, profiting by the advantage we had over them, pursued them almost to the gates of the town, and the bridge over the little river, redoubling our fire with great eagerness, making many Officers

and men prisoners . . . the highlanders chased them vigorously towards Charles's river, and the fifty-eighth to the suburb close to John's gate, until they were checked by the cannon from the two hulks; at the same time a gun, which the town had brought to bear upon us with grape-shot, galled the progress of the regiment to the right, who were likewise pursuing with equal ardour, while Colonel Hunt Walsh, by a very judicious movement, wheeled the battalions of Bragg and Kennedy to the left, and flanked the coppice where a body of the enemy had made a stand, as if willing to renew the action; but a few platoons from these corps completed our victory. . . . Our joy at this success is inexpressibly damped by the loss we sustained of one of the greatest heroes, which this or any other age can boast of,—General JAMES WOLFE, who received his mortal wound, as he was exerting himself at the head of the grenadiers of Louisbourg; and Brigadier Monckton was unfortunately wounded upon the left of the forty-third, and right of the forty-seventh regiment, at much the same time; whereby the command devolved on Brigadier Townshend, who, with Brigadier Murray, went to the head of every regiment, and returned thanks for their extraordinary good behavior, congratulating the Officers on our success. . . . While the two armies were engaged this morning, there was an incessant firing between the town and our south batteries. By the time that our troops had taken a little refreshment, a quantity of intrenching tools were brought a-shore, and the regiments were employed in redoubting our ground, and landing some cannon and ammunition. The Officers who are prisoners say, that Quebec will surrender in a few days; some deserters, who came out to us in the evening, agree in that opinion, and inform us that the Sieur de Montcalm is dying, in great agony, of a wound he received to-day in their retreat. Thus has our late renowned Commander, by his superior eminence



DEATH OF GENERAL VOLFE AT QUEBEC, SEPTEMBER 14, 1759 (From Ashburton's "History of England")

in the art of war, and a most judicious coup d'etat, made a conquest of this fertile, healthy, and hitherto formidable country, with a handful of troops only, in spite of the political schemes, and most vigorous efforts, of the famous Montcalm, and many other Officers of rank and experience, at the head of an army considerably more numerous. My pen is too feeble to draw the character of this British Achilles; but the same may, with justice, be said of him as was said of Henry IV of France: He was possessed of courage, humanity, clemency, generosity, affability, and politeness. . . .

The Sieur de Montcalm died late last night; when his wound was dressed, and he settled in bed, the Surgeons who attended him were desired to acquaint him ingenuously with their sentiments of him, and, being answered that his wound was mortal, he calmly replied, 'he was glad of it'; his Excellency then demanded,— 'whether he could survive it long, and how long?' He was told, 'about a dozen hours, perhaps more, peradventure less.' 'So much the better,' rejoined this eminent warrior; 'I am happy I shall not live to see the surrender of Quebec.' He then ordered his Secretary into the room to adjust his private affairs, which as soon as they were dispatched, he was visited by Monsieur de Ramsey, the French King's Lieutenant, and by other principal Officers, who desired to receive his Excellency's commands, with the farther measures to be pursued for the defense of Quebec, the capital of Canada. To this the Marquis made the following answer,—'I'll neither give orders nor interfere any farther; I have much business that must be attended to, of greater moment than your ruined garrison and this wretched country: my time is very short,—therefore pray leave me—I wish you all comfort, and to be happily extricated from your present perplexities.' He then called for his Chaplain, who, with the Bishop of the colony, remained with him till he expired. . . .

After our late worthy General, of renowned memory, was carried off wounded, to the rear of the front line, he desired those who were about him to lay him down; being asked if he would have a Surgeon? he replied, 'It is needless; it is all over with me.' One of them then cried out, 'they run, see how they run.' 'Who runs—!' demanded our hero, with great earnestness, like a person roused from sleep? The Officer answered, 'The enemy, sir; Egad, they give way everywhere.' Thereupon the general rejoined, 'Go, one of you, my lads, to Colonel Burton—; tell him to march Webb's regiment with all speed down to Charles's river, to cut off the retreat of the fugitives from the bridge.' Then, turning on his side, he added, 'Now, God be praised, I will die in peace:' and thus expired.

Proclamation for the Government of British Possessions in America, 1763

Extracts from the royal proclamation concerning the possessions acquired by Great Britain by the Treaty of Paris, concluded on February 10, 1763. The full text is in the "Annual Register" of 1763. (See page 124.)

The preamble declared that "with the advice of our said privy council we have granted our letters patent under our great seal of Great Britain, to erect within the countries and islands, ceded and confirmed to us by the said treaty, four distinct and separate governments, stiled and called by the names of Quebec, East Florida, West Florida, and Grenada." Then follows a statement of the boundaries of the new governments, located within what is now the United States, viz:

"Secondly, The government of East Florida, bounded to the Westward by the Gulph of Mexico and the Apalachicola river; to the Northward, by a line drawn from that part of the said river where the Catahoochee and Flint rivers meet, to the source of St. Mary's river, and by the course of the said river to the Atlantic Ocean, and to the East and South by the Atlantic Ocean, and the Gulph of Florida, including all islands within six leagues of the sea coast.

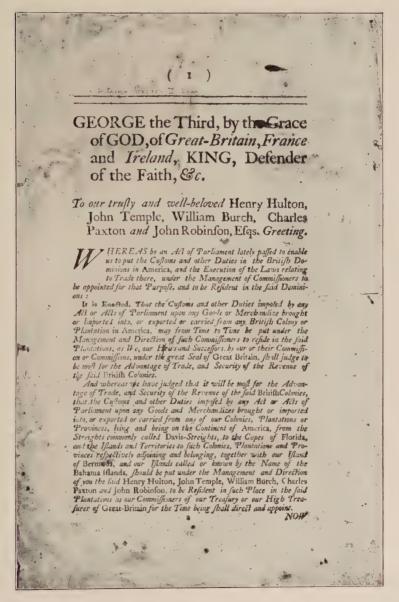
"Thirdly, The government of West Florida, bounded to the Southward by the Gulph of Mexico, including all islands within six leagues of the coast from the river Apalachicola to lake Pontchartrain; to the Westward by the said lake, the lake Maurepas, and the river Mississippi; to the Northward, by a line drawn due East from that part of the river Mississippi which lies in thirty-one degrees North latitude, to the river Apalachicola, or Catahoochee; and to the Eastward by the said river."

The proclamation also declared that the Crown had "annexed to our province of Georgia, all the lands lying between the rivers Attamaha and St. Mary's."

For the government of the new colonies the proclama-

tion stipulated:

"that so soon as the state and circumstances of the said colonies will admit thereof, they shall, with the advice and consent of the members of our council, summon and call general assemblies within the said governments respectively, in such manner and form as is used and directed in those colonies and provinces in America, which are under our immediate government; and we have also given power to the said governors, with the consent of our said councils, and the representatives of the people, so to be summoned as aforesaid, to make, constitute, and ordain laws, statutes, and ordinances for the public peace, welfare, and good government of our said colonies, and of the people and inhabitants thereof, as near as may be, agreeable to the laws of England, and under such regulations and restrictions as are used in other colonies; and in the mean time, and until such assemblies can be called as aforesaid, all persons inhabiting in, or resorting to, our said colonies. may confide in our royal protection for the enjoyment of the benefit of the laws of our realm of England: for which purpose we have given power under our great seal to the governors of our said colonies respectively, to erect and constitute, with the advice of our said councils respectively, courts of judicature and public justice within our said colonies, for the hearing and de-



termining all causes as well criminal as civil, according to law and equity, and as near as may be, agreeable to the laws of England, with liberty to all persons who may think themselves aggrieved by the sentence of such courts, in all civil cases, to appeal, under the usual limitations and restrictions, to us, in our privy council."

THE STAMP ACT, 1765

Laws providing for the use of stamps and stamped paper for raising revenue were introduced into England, in the reign of William and Mary, from Holland. In 1764 George Grenville, Pitt's brother-inlaw, proposed a stamp tax to be extended to the colonies, but it was delayed, to await suggestions from Pitt, until the following year, when the measure was adopted and received the royal assent on March 27th. In the preamble to this act, its purpose was declared to be the raising of a revenue towards defraying the expenses of defending, protecting, and securing the British colonies and plantations in America. The following is the text of the act, as given in Pickering's "Statutes at Large," XXVI. (See page 132.)

Whereas, by an act made in the last session of Parliament, several duties were granted, continued, and appropriated towards defraying the expenses of defending, protecting, and securing the British colonies and plantations in America; and whereas it is first necessary that provision be made for raising a further revenue within your Majesty's dominions in America, towards defraying the said expenses; we, your Majesty's most dutiful and loyal subjects, the Commons of Great Britain, in Parliament assembled, have therefore resolved to give and grant unto your Majesty the several rights and duties hereinafter mentioned; and do most humbly beseech your Majesty that it may be enacted. And be it

enacted by the King's most excellent Majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present Parliament assembled, and by the authority of the same, that from and after the first day of November, one thousand seven hundred and sixty-five, there shall be raised, levied, collected, and paid unto his Majesty, his heirs and successors, throughout the colonies and plantations in America, which now are, or hereafter may be, under the dominion of his Maiesty, his heirs and successors:

1. For every skin or piece of vellum or parchment, or sheet or piece of paper, on which shall be engrossed, written, or printed any declaration, plea, replication, rejoinder, demurrer, or other pleading, or any copy thereof, in any court of law within the British colonies and plantations in America, a stamp duty of three pence.

2. For every skin or piece of vellum or parchment, or sheet or piece of paper, on which shall be engrossed. written, or printed any special bail, and appearance upon such bail in any such court, a stamp duty of two

shillings.

3. For every skin or piece of vellum or parchment. or sheet or piece of paper, on which may be engrossed, written, or printed any petition, bill, or answer, claim, plea, replication, rejoinder, demurrer, or other pleading, in any court of chancery or equity within the said colonies and plantations, a stamp act of one shilling and six pence.

4. For every skin or piece of vellum or parchment. or sheet or piece of paper, on which shall be engrossed. written, or printed any copy of any petition, bill, answer, claim, plea, replication, rejoinder, demurrer, or other pleading, in any such court, a stamp duty of three

pence.

5. For every skin or piece of vellum or parchment, or sheet or piece of paper, on which shall be engrossed, Anno quinto

Georgii III. Regis.

CAP. XII.

An Act for granting and applying certain Stamp Duties, and other Dutics, in the Briti/b Co-Ionies and Plantations in America, towards further defraying the Expences of defending, protecting, and fecuring the fame; and for amending fuch Parts, of the feveral Acts of Parliament relating to the Trade and Revenues of the faid Colonies and Plantations, as direct the Manner of determining and recovering the Penalties and Forfeitures therein mentioned.



DERESS by an Ad made in Permiss the last Session of Parliament, feveral Duties were granted, continued, and appropriated, towards befraping the Ervences of befending, proteding, and fecuring, the British Colonies and Blantations in America: And whereas it is just and necessarp, that Provision be made for railing a further Revenue within Pour Beneup's Domi-

nions in America, towards befraping the faid Erpences: Me, Pour Bajefip's mon butuful and lopal Subjetts. the Commons of Great Britain in Parliament affemblen, 4 2 2

written, or printed any monition, libel, answer, allegation, inventory, renunciation, in ecclesiastical matters, in any court of probate, court of the ordinary, or other court exercising ecclesiastical jurisdiction within the said colonies and plantations, a stamp duty of one shilling.

6. For every skin or piece of vellum or parchment, or sheet or piece of paper, on which shall be engrossed, written, or printed any copy of any will (other than the probate thereof), monition, libel, answer, allegation, inventory, or renunciation, in ecclesiastical matters in

any such court, a stamp duty of six pence.

7. For every skin or piece of vellum or parchment, or sheet or piece of paper, on which shall be engrossed, written, or printed any donation, presentation, collation or institution, of or to any benefice, or any writ or instrument for the like purpose, or any register, entry, testimonial, or certificate of any degree taken in any university, academy, college, or seminary of learning, within the said colonies and plantations, a stamp duty of two pounds.

8. For every skin or piece of vellum or parchment, or sheet or piece of paper, on which shall be engrossed, written, or printed any monition, libel, claim, answer, allegation, information, letter of request, execution, renunciation, inventory, or other pleading, in any admiralty court within the said colonies and plantations,

a stamp duty of one shilling.

9. For every skin or piece of vellum or parchment, or sheet or piece of paper, on which any copy of any such monition, libel, claim, answer, allegation, information, letter of request, execution, renunciation, inventory, or other pleading shall be engrossed, written, or printed, a stamp duty of six pence.

10. For every skin or piece of vellum or parchment, or sheet or piece of paper, in which shall be engrossed, written, or printed any appeal, writ of error, writ of

dower, ad quo damnum, certiorari, statute merchant, statute staple, attestation, or certificate, by any officer, or exemplification of any record or proceeding, in any court whatsoever, within the said colonies and plantations (except appeals, writs of error, certiorari, attestations, certificates, and exemplifications, for, or relating to, the removal of any proceedings from before a single justice of the peace) a stamp duty of ten shillings.

11. For every skin or piece of vellum or parchment, or sheet or piece of paper, on which shall be engrossed, written or printed any writ of covenant for levying fines, writ of entry for suffering a common recovery, or attachment issuing out of or returnable into any court within the said colonies and plantations, a stamp duty

of five shilings.

12. For every skin or piece of vellum or parchment, or sheet or piece of paper, on which shall be engrossed, written, or printed any judgment, decree, or sentence, or dismission, or any record of *nisi prius* or *postea*, in any court within the said colonies and plantations, a

stamp duty of four shillings.

13. For every skin or piece of vellum or parchment, or sheet or piece of paper, on which shall be engrossed, written, or printed any affidavit, common bail, or appearance, interrogatory, deposition, rule, order or warrant of any court, or any *dedimus potestament*, capias subpœna, summons, compulsory citation, commission, recognizance, or any other writ, process, or mandate, issuing out of or returnable into any court, or any office belonging thereto, or any other proceeding therein whatsoever, or any copy thereof, or of any record not hereinbefore charged, within the said colonies and plantations (except warrants relating to criminal matters, and proceedings thereon, or relating thereto), a stamp duty of one shilling.

14. For every skin or piece of vellum or parchment, or sheet or piece of paper, on which shall be engrossed,

No Stamped Paper to be had.

B O S T O N, OBebt 18.

that on Sunday, the 13th infte in the morning, was discovered hanging on the gallows behind the Citadel Hill, the effigies of a flannman, accompanied with a boot and devil, together with labels fuitable to the occation (which we cannot intert, not being favoured with the fame) this we are informed gave great pleafure and fatisfaction to all the friends of liberty and their county there, as they hope from this inflance of their zeal, the neighbouring colonies will be charitable enough to believe that nothing but their dependent fituation, prevens them from heartily and finectely oppoling a tax unconfitutional in its nature, and of 10 destructive a tendency 4s must infallially entail poverty and beggary on us and our posterity, if carried

in execution.
On the 23d inflont the Great and General Court met bere, according to the 23d inflont the Great state simple every member of the hongrounds to be advantaged to reprefentatives there exercised influentions from their empfirments, and that they are of the fame import with these their empforts with these

diready published.

We bear that the merchants and friends to America in England,
were determined to asset their usings endeavours the next selfon of
Parliament, in order to get the stamp all repealed.

N. E. W.-Y. O. R. K., November 4.

George the Third, to the crown of Great-Britain, Ge, apon which occupies the Jaid freemen unanimously, and with one voice declared, Irp. That they have at all times bretelfore, and were would bear inte aligiance to bis Majolfy King George the Title, and bis rond of predecifors, and wife to be governed agreeable to the laws of the extra coal to british envilation, to which they ear had, and of the work of the british envilation, to which they ear had, and for ever most chearfully wholed

Society. Four strangers, prepared for the Boiliffe colonies is America, in their opinion, is unconfitutional; and fould the fame rate place, agreeable to the tener of it, would be a manifelt defence, its and oversile to the tener of it, would be a manifelt defence. Its and privileges,

Thirdy. This they will, by all lawful ways and means, endeavour to preferve and transmit to pofferite, their liberty and property, in as fall on the manuer as they received the fame from their ancessors, fall one from their ancessors. Just they will disconstance and alsowings, by all lawful measures, The execution and effect of the same and alsowings.

Jul mediutes, the execution and effect of the famp and in the utmost confifting. That they will detail, abbor, and hold in the utmost contemple, all and every perfor or perfore, who fold meanly accept of any employment or office, relating to the flamp add, or foull take any fleater or advantage from the fame, and all and every famp pines, informer, favourer and enconvager of the execution of the fold add; and etc. favourer and enconvager of the execution of the perford etc. favourer and enconvager of the execution of the perford to them on any occasion, unleft is beto inform them of their valencia. written, or printed any note or bill of lading, which shall be signed for any kind of goods, wares or merchandise, to be exported from, or any cocket or clearance granted within the said colonies and plantations, a stamp duty of four pence.

15. For every skin or piece of vellum or parchment, or sheet or piece of paper, on which shall be engrossed, written, or printed letters of mart or commission for private ships-of-war, within the said colonies and plan-

tations, a stamp duty of twenty shillings.

16. For every skin or piece of vellum or parchment, or sheet or piece of paper, on which shall be engrossed, written, or printed any grant, appointment, or admission of or to any public beneficial office or employment, for the space of one year, or any lesser time, of or above twenty pounds per annum sterling money, in salary, fees, and perquisites, within the said colonies and plantations (except commissions and appointments of officers of the army, navy, ordnance, or militia, of judges, and of justices of the peace), a stamp duty of ten shillings.

17. For every skin or piece of vellum or parchment, or sheet or piece of paper, on which any grant, of any liberty, privilege, or franchise, under the seal or sign manual of any governor, proprietor, or public officer, alone or in conjunction with any other person or persons, or with any council, or any council and assembly, or any exemplification of the same, shall be engrossed, written, or printed within the said colonies and plantations, a stamp duty of six pounds.

18. For every skin or piece of vellum or parchment, or sheet or piece of paper, on which shall be engrossed, written, or printed any license for retailing spirituous liquors, to be granted to any person who shall take out the same, within the said colonies and plantations, a

stamp duty of twenty shillings.

19. For every skin or piece of vellum or parchment, or sheet or piece of paper, on which shall be engrossed,

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written, or printed any license for retailing of wine, to be granted to any person who shall not take out a license for retailing of spirituous liquors, within the said colonies and plantations, a stamp duty of four pounds.

20. For every skin or piece of vellum or parchment, or sheet or piece of paper, on which shall be engrossed,

PHILADELPHIA, October 31.

There is a second of the second

We are forry to be obliged to acquaint our Readers, that as the most UNCONSTITUTIONAL ACT that ever these Colonies could have imagined, to wit The STAMP ACT, is feared to be obligatory upon us, after the First of November enfuing (the FATAL TO-MORROW) the Publishers of this Paper, unable to bear the Burthen, have thought it expedient to stop a While, in order to deliberate, whether any Methods can be found to elude the Chains forged for them, and escape the insupportable Slavery; which, it is hoped, from the just Reprefentations now made against that Act, may be effected .--- Mean while, we must earnestly request every Individual of our Subscribers, many of whom have been long behind hand, that they would immediately discharge their respective Arrears, that we may be able not only to support ourselves during the Interval, but be better prepared to proceed again with this Paper, whenever an Opening appears for that Purpose, which we hope will be foon.

FACSIMILE FROM THE "PENNSYLVANIA GAZETTE," OCTOBER 31, 1765

written, or printed any license for retailing of spirituous liquors, within the said colonies and plantations, a

stamp duty of three pounds.

21. For every skin or piece of vellum or parchment, or sheet or piece of paper, on which shall be engrossed, written, or printed any probate of will, letters of administration, or of guardianship for any estate above the value of twenty pounds sterling money, within the British colonies and plantations upon the continent of America, the islands belonging thereto, and the Ber-

muda and Bahama islands, a stamp duty of five shillings.

22. For every skin or piece of vellum or parchment, or sheet or piece of paper, on which shall be engrossed, written, or printed any such probate, letters of administration or of guardianship, within all other parts of the British dominions in America, a stamp duty of ten

shillings.

23. For every skin or piece of vellum or parchment, or sheet or piece of paper, on which shall be engrossed, written, or printed any bond for securing the payment of any sum of money, not exceeding the sum of ten pounds sterling money, within the British colonies and plantations upon the continent of America, the islands belonging thereto, and the Bermuda and Bahama islands, a stamp duty of six pence.

24. For every skin or piece of vellum or parchment, or sheet or piece of paper, on which shall be engrossed, written, or printed any bond for securing the payment of any sum of money above ten pounds and not exceeding twenty pounds sterling money, within such colonies, plantations, and islands, a stamp duty of one

shilling.

25. For every skin or piece of vellum or parchment, or sheet or piece of paper, on which shall be engrossed, written, or printed any bond for securing the payment of any sum of money above twenty pounds and not exceeding forty pounds sterling money, within such colonies and plantations and islands, a stamp duty of

one shilling and six pence.

26. For every skin or piece of vellum or parchment, or sheet or piece of paper, on which shall be engrossed, written, or printed any order or warrant for surveying or setting out any quantities of land not exceeding 100 acres, issued by any governor, proprietor, or any public officer, alone or in conjunction with any other person or persons, or with any council, or any council or assem-

bly, with the British colonies and plantations in America,

a stamp duty of six pence.

27. For every skin or piece of vellum or parchment, or sheet or piece of paper, on which shall be engrossed, written, or printed any such order or warrant for surveying or setting out any quantity of land above 100 and not exceeding 200 acres, within the said colonies and plantations, a stamp duty of one shilling.

28. For every skin or piece of vellum or parchment, or sheet or piece of paper, on which shall be engrossed, written, or printed any such order or warrant for surveying or setting out any quantity of land above 200 and not exceeding 320 acres, and in proportion for every such order or warrant for surveying or setting out every other 320 acres, within the said colonies and plantations,

a stamp duty of one shilling and six pence.

29. For every skin or piece of vellum or parchment, or sheet or piece of paper, on which shall be engrossed, written, or printed any original grant or any deed, mesne conveyance, or other instrument whatsoever, by which any quantity of land not exceeding 100 acres shall be granted, conveyed, or assigned, within the British colonies and plantations upon the continent of America, the islands belonging thereto, and the Bermuda and Bahama islands (except leases for any term not exceeding the term of twenty-one years), a stamp duty of one shilling and six pence.

30. For every skin or piece of vellum or parchment, or sheet or piece of paper, on which shall be engrossed, written, or printed any such original grant, or any such deed, mesne conveyance, or other instrument whatsoever, by which any quantity of land above 100 and not exceeding 200 acres shall be granted, conveyed, or assigned, within such colonies, plantations, and islands,

a stamp duty of two shillings.

31. For every skin or piece of vellum or parchment, or sheet or piece of paper, on which shall be engrossed,

written, or printed any such original grant, or any such deed, mesne conveyance, or other instrument whatsoever, by which any quantity of land above 200 and not exceeding 320 acres shall be granted, conveyed, or assigned, and in proportion for every such grant, deed, mesne conveyance, or other instrument, granting, conveying, or assigning every other 320 acres, within such colonies, plantations, and islands, a stamp duty of two shillings and six pence.

32. For every skin or piece of vellum or parchment, or sheet or piece of paper, on which shall be engrossed, written, or printed any such original grant, or any such deed, mesne conveyance, or other instrument whatsoever, by which any quantity of land not exceeding 100 acres shall be granted, conveyed, or assigned, within all other parts of the British dominion in America, a stamp

duty of three shillings.

33. For every skin or piece of vellum or parchment, or sheet or piece of paper, on which shall be engrossed, written, or printed any such original grant, or any such deed, mesne conveyance, or other instrument whatsoever, by which any quantity of land above 100 and not exceeding 200 acres shall be granted, conveyed, or assigned, within the same parts of the said domains, a

stamp duty of four shillings.

34. For every skin or piece of vellum or parchment, or sheet or piece of paper, on which shall be engrossed, written, or printed any such original grant, or any such deed, mesne conveyance, or other instrument whatsoever, by which any quantity of land above 200 and not exceeding 320 acres shall be granted, conveyed, or assigned, and in proportion for every such grant, deed, mesne conveyance, or other instrument, granting, conveying, or assigning every other 320 acres within the same parts of the said dominions, a stamp duty of five shillings.

35. For every skin or piece of vellum or parchment,

or sheet or piece of paper, on which shall be engrossed, written, or printed any grant, appointment, or admission of or to any beneficial office or employment, not hereinbefore charged, above the value of twenty pounds per annum sterling money, in salary, fees, and perquisites, or any exemplification of the same within the



BRITISH STAMPS FOR AMERICA

British colonies and plantations upon the continent of America, the islands belonging thereto, and the Bermuda and Bahama islands (except commissions of the officers of the army, navy, ordnance, or militia, and of justices of the peace), a stamp duty of four pounds.

36. For every skin or piece of vellum or parchment, or sheet or piece of paper, on which shall be engrossed, written, or printed any such grant, appointment, or admission of or to any such public beneficial office or employment, or any exemplification of the same within all other parts of the British dominions in America, a

stamp duty of six pounds.

37. For every skin or piece of vellum or parchment, or sheet or piece of paper, on which shall be engrossed, written, or printed any indenture, lease, conveyance, contract, stipulation, bill of sale, charter party, protest, articles of apprenticeship or covenant (except for the hire of servants not apprentices, and also except such other matters as hereinbefore charged), within the British colonies and plantations in America, a stamp duty of two shillings and six pence.

38. For every skin or piece of vellum or parchment, or sheet or piece of paper, on which any warrant or

order for auditing any public accounts, beneficial warrant, order, grant, or certificate, under any public seal, or under the seal or sign manual of any governor, proprietor, or public officer, alone or in conjunction with any person or persons, or with any council, or any council and assembly, not hereinbefore charged, or any passport or letpass, surrender of office, or policy of assurance, which shall be engrossed, written, or printed within the said colonies and plantations (except warrants or orders for the service of the army, navy, ordnance, or militia, and grants of offices under twenty pounds per annum, in salary, fees, and perquisites), a stamp duty of five shillings.

39. For every skin or piece of vellum or parchment, or sheet or piece of paper, on which shall be engrossed, written, or printed any notarial act, bond, deed, letter of attorney, procuration, mortgage, release, or other obligatory instrument, not hereinbefore charged, within the said colonies and plantations, a stamp duty of two

shillings.

40. For every skin or piece of vellum or parchment, or sheet or piece of paper, on which shall be engrossed, written, or printed any registry, entry, or enrolment of any grant, deed, or other instrument whatsoever, hereinbefore charged, within the said colonies and plantations,

a stamp duty of three pence.

41. For every skin or piece of vellum or parchment, or sheet or piece of paper, on which shall be engrossed, written, or printed grant register, entry, or enrolment of any grant, deed, or other instrument whatsoever, not hereinbefore charged, within the said colonies and plantations, a stamp duty of two shillings.

42. And for and upon every pack of playing cards, and all dice, which shall be sold or used within the said colonies and plantations, the several stamp duties fol-

lowing (that is to say):

43. For every pack of cards, one shilling.

44. For every pair of such dice, ten shillings.

45. And for and upon every paper called a pamphlet, and upon every newspaper containing public news or occurrences, which shall be printed, dispersed, and made public, within any of the said colonies and plantations, and for and upon such advertisements as are hereinafter mentioned, the respective duties following (that is to say):

46. For every such pamphlet and paper, contained in a half sheet or any lesser piece of paper, which shall be so printed, a stamp duty of one half-penny for every

printed copy thereof.

47. For every such pamphlet and paper (being larger than half a sheet and not exceeding one whole sheet) which shall be printed, a stamp duty of one penny for

every printed copy thereof.

48. For every pamphlet and paper, being larger than one whole sheet and not exceeding six sheets in octavo, or in a lesser page or not exceeding twelve sheets in quarto, or twenty sheets in folio, which shall be so printed, a duty after the rate of one shilling for every sheet of any kind of paper which shall be contained in one printed copy thereof.

49. For every advertisement to be contained in any gazette, newspaper, or other paper, or any pamphlet which shall be so printed, a duty of two shillings.

50. For every almanac, or calendar, for any one particular year, or for any time less than a year, which shall be written or printed on one side only of any one sheet, skin, or piece of paper, parchment, or vellum, within the said colonies and plantations, a stamp duty of two pence.

51. For every other almanac or calendar, for any one particular year, which shall be written or printed within the said colonies and plantations, a stamp duty of four

pence

52. And for every almanac or calendar, written or printed in the said colonies and plantations, to serve for

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several years, duties to the same amount respectively shall be paid for every such year.

53. For every skin or piece of vellum or parchment, or sheet or piece of paper, on which any instrument,

proceeding, or other matter or thing aforesaid shall be engrossed, written, or printed, within the said colonies and plantations. in any other than the English language, a stamp duty double the amount of the respective duties before charged thereon.



"AMERICA IN DISTRESS"
(From Paul Revere's engraving)

54. And there shall be also paid, in the said colonies and plantations, duty of six pence for every twenty shillings in any sum not exceeding fifty pounds sterling money, which shall be given, paid, contracted, or agreed for with or in relation to any clerk or apprentice, which shall be put or placed to or with any master or mistress, to learn any profession, trade, or employment. II. And also a duty of one shilling for every twenty shillings, in any sum not exceeding fifty pounds, which shall be given, paid, contracted, or agreed for, with or in relation to, any such clerk or apprentice.

55. Finally, the produce of all the aforementioned duties shall be paid into his Majesty's treasury, and there held in reserve, to be used from time to time by the Parliament for the purpose of defraying the expenses necessary for the defence, protection, and security of

the said colonies and plantations.

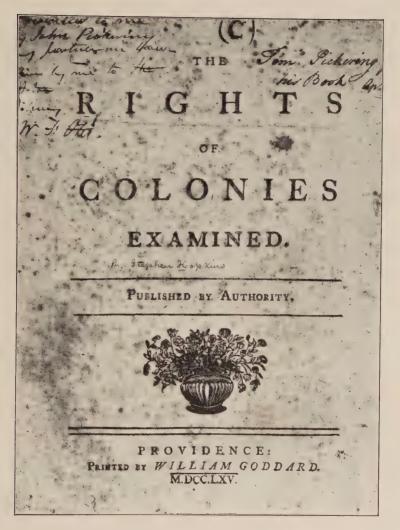
THE DECLARATION OF RIGHTS, 1765

This declaration, following by a few months the enactment of the Stamp Act by the British Parliament, was the result of a convention of delegates from nine colonies held in New York on October 7–25, 1765, in response to a resolution of the Massachusetts Legislature. Text from "Journal of the First Congress of the American Colonies," 1845. (See page 140.)

The members of this congress, sincerely devoted, with the warmest sentiments of affection and duty, to His Majesty's person and government, inviolably attached to the present happy establishment of the Protestant succession, and with minds deeply impressed by a sense of the present and impending misfortunes of the British colonies on this continent; having considered as maturely as time will permit, the circumstances of the said colonies, esteem it our indispensable duty to make the following declarations of our humble opinion respecting the most essential rights and liberties of the colonists and of the grievances under which they labor by reason of the several late acts of Parliament.

1. That His Majesty's subjects in these colonies owe the same allegiance to the crown of Great Britain, that is owing from his subjects born within the realm; and all due subordination to that august body, the Parliament of Great Britain.

2. That His Majesty's liege subjects, in these colonies, are entitled to all the inherent rights and liberties of



TITLE-PAGE OF "THE RIGHTS OF COLONIES EXAMINED," BY STEPHEN HOPKINS (1765)

his natural born subjects within the kingdom of Great Britain.

3. That it is inseparably essential to the freedom of a people, and the undoubted right of Englishmen, that no taxes be imposed on them but with their own consent, given personally, or by their representatives.

4. That the people of these colonies are not, and from their local circumstances cannot be, represented in the

House of Commons, in Great Britain.

5. That the only representatives of the people of these colonies, are persons chosen therein by themselves; and that no taxes ever have been, or can be constitutionally imposed on them, but by their respective legislatures.

6. That all supplies to the crown, being the free gifts of the people, it is unreasonable and inconsistent with the principles and spirit of the British constitution, for the people of Great Britain to grant to His Majesty, the

property of the colonists.

7. That trial by jury is the inherent and invaluable

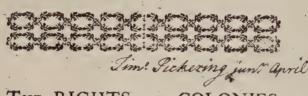
right of every British subject in these colonies.

8. That the late act of Parliament, entitled "An act for granting and applying certain stamp duties, and other duties in the British colonies and plantations, in America, etc.," by imposing taxes on the inhabitants of these colonies, and the said act, and several other acts, by extending the jurisdiction of the courts of admiralty beyond its ancient limits, have a manifest tendency to subvert the rights and liberties of the colonists.

9. That the duties imposed by several late acts of Parliament, from the peculiar circumstances of these colonies, will be extremely burthensome and grievous, and from the scarcity of specie, the payment of them

absolutely impracticable.

10. That as the profits of the trade of these colonies ultimately centre in Great Britain, to pay for the manufactures which they are obliged to take from thence,



THE RIGHTS OF COLONIES EXAMINED.

Mid the low murmurs of submissive fear And mingled rage, my Hambden rais'd his voice, And to the laws appeal'd;——

THOMPSON'S Liberty.



IBERTY is the greatest blessing that men enjoy, and slavery the heaviest curse that human nature is capable of.—This being so, makes it a matter of the utmost importance to men, which of the two shall be their portion.

Absolute Liberty is perhaps incomparible.

Abfolute Liberty is, perhaps, incompatible with any kind of government.—The fafety refulting from fociety, and the advantage of just and equal laws, hath caused men to forego some part of their natural liberty, and tubmit to government.—This appears to be the most rational account of it's beginning; although, it must be confessed, mankind have by no means been agreed about it; Some have found it's origin in the divine appointment: Others have thought it took it's rise from power: Enthusiast have dreamed that dominion was founded in grace.

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they eventually contribute very largely to all supplies granted there to the crown.

- 11. That the restrictions imposed by several late acts of Parliament on the trade of these colonies, will render them unable to purchase the manufactures of Great Britain.
- 12. That the increase, prosperity, and happiness of these colonies depend on the full and free enjoyments of their rights and liberties, and an intercourse with Great Britain, mutually affectionate and advantageous.
- 13. That it is the right of the British subjects in these colonies to petition the King, or either house of Parliament.

Lastly. That it is the indispensable duty of these colonies, to the best of sovereigns, to the mother country, and to themselves, to endeavour by a loyal and dutiful address to His Majesty, and humble applications to both houses of Parliament, to procure the repeal of the act for granting and applying certain stamp duties, of all clauses of any other acts of Parliament, whereby the jurisdiction of the admiralty is extended, as aforesaid, and of the other late acts for the restriction of American commerce.

Writs of Assistance, 1755-67

Writs of Assistance were authorizations for customs officials to search for and seize commodities believed to have been brought into the colonies in violation of the regulations governing foreign trade. They were the most numerous in Massachusetts, being issued there in 1755, 1758, 1759, 1760, 1762, and 1767. The following specimen, dated December 2, 1762, was drawn up by Chief Justice Thomas Hutchinson, and is from the text in Quincy's "Massachusetts Reports," pp. 418–21, interlineations on the original draft appearing in parentheses and eliminations in italics. See also "Townshend's Revenue Act, 1767." (See page 143.)

Prov. of Mass. Bay GEORGE the third by the grace of God of Great Britain France & Ireland King Defender of the faith &c.

To all & singular our Justices of the peace Sheriffs Constables and to all other our Officers and Subjects within our said Province and to each of you Greeting.

Know ye that whereas in and by an Act of Parliament made in the thir[four]teenth year of [the reign of] the late King Charles the second it is declared to be [the Officers of our Customs & their Deputies are authorized and impowered to go & enter aboard any Ship or Vessel outward or inward bound for the purposes in

the said Act mentioned and it is also in & by the said Act further enacted & declared that it shall be] lawful [to or] for any person or persons authorized by Writ of assistants under the seal of our Court of Exchequer to take a Constable Headborough or other publick Officer inhabiting near unto the place and in the day time to enter & go into any House Shop Cellar Warehouse or Room or other place and in case of resistance to break open doors chests trunks & other package there to seize and from thence to bring any kind of goods or merchandize whatsoever prohibited & uncustomed and to put and secure the same in his Majestys [our] Storehouse in the port next to the place where such seizure shall be made.

AND WHEREAS in & by an Act of Parliament made in the seventh & eighth year of [the reign of the late] King William the third there is granted to the Officers for collecting and managing our revenue and inspecting the plantation trade in any of our plantations [the same powers & authority for visiting & searching of Ships & also] to enter houses or warehouses to search for and seize any prohibited or uncustomed goods as are provided for the Officers of our Customs in England by the said last mentioned Act made in the fourteenth year of [the reign of] King Charles the Second, and the like assistance is required to be given to the said Officers in the execution of their office as by the said last mentioned Act is provided for the Officers in England.

AND WHEREAS in and by an Act of our said Province of Massachusetts bay made in the eleventh year of [the reign of the late King William the third it is enacted & declared that our Superior Court of Judicature Court of Assize and General Goal delivery for our said Province shall have cognizance of all matters and things within our said Province as fully & amply to all intents & purposes as our Courts of King's Bench Common Pleas & Exchequer within our Kingdom of England have or

ought to have.



FACSIMILE OF TITLE-PAGE OF BICKERSTAFF'S BOSTON ALMANAC FOR 1770

(The portrait of Otis is supported on one side by Liberty, and on the other by Hercules or Perseverance. At the feet of the latter, uncoiling, preparatory to striking a blow, is the rattlesnake, an emblem used on some of the colonial flags when the war began.)

AND WHEREAS our Commissioners for managing and causing to be levied & collected our customs subsidies and other duties have [by Commission or Deputation under their hands & seal dated at London the 22d day of May in the first year of our Reign] deputed and impowered Charles Paxton Esquire to be Surveyor & Searcher of all the rates and duties arising and growing due to us at Boston in our Province aforesaid and [in & by said Commission or Deputation] have given him power to enter into [any Ship Bottom Boat or other Vessel & also into] any Shop House Warehouse Hostery or other place whatsoever to make diligent search into any trunk chest pack case truss or any other parcell or package whatsoever for any goods wares or merchandize prohibited to be imported or exported or whereof the Customs or other Duties have not been duly paid and the same to seize to our use In all things proceeding as the Law directs.

THEREFORE we strictly Injoin & Command you & every one of you that, all excuses apart, you & every one of you permit the said Charles Paxton according to the true intent & form of the said commission or deputation and the laws & statutes in that behalf made & provided, [as well by night as by day from time to time to enter & go on board any Ship Boat or other Vessel riding lying or being within or coming to the said port of Boston or any Places or Creeks thereunto appertaining such Ship Boat or Vessel then & there found to search & oversee and the persons therein being strictly to examine touching the premises aforesaid & also according to the form effect and true intent of the said commission or deputation] in the day time to enter & go into the vaults cellars warehouses shops & other places where any prohibited goods wares or merchandizes or any goods wares or merchandizes for which the customs or other duties shall not have been duly & truly satisfied and paid lye concealed or are suspected to be concealed,

A

VINDICATION

OF THE

CONDUCT

OF THE

House of Representatives

OFTHE

PROVINCE

OF THE

MASSACHUSETTS-BAY:

MORE PARTICULARLY,

INTHE

LAST SESSION

GENERAL ASSEMBLY.

By James Otis, Efq;

A Member of faid House.

Let fuch, such only, tread this farred Floor,
Who dare to love their Country and be Pour;
Or good tho' rich, humane and wife the great,
Jove give but these, we've nought to Fear from Fate!
Pope.

BOSTON: Printed by EDES & GILL, in Queen-Street. 1762.

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according to the true intent of the law to inspect & oversee & search for the said goods wares & merchandize. And further to do and execute all things which of right and according to the laws & statutes in this behalf shall be to be done. And we further strictly Injoin & Command you and every one of you that to the said Charles Paxton Esqr you & every one of you from time to time be aiding assisting & helping in the execution of the premises as is meet. And this you or any of [you] in no wise omit at your perils. Witness Thomas Hutchinson Esq at Boston the day of December in the Second year of our Reign Annoque Dom 1761

By order of Court N. H. Cler.

THE DECLARATORY ACT, 1766

This Act, entitled "An act for the better securing the dependency of his Majesty's dominions in America upon the crown and parliament of Great Britain," was inspired by the general opposition to the "Stamp Act" in the colonies and the losses to the home trade by reason of it, and accompanied the bill to repeal that Act. Despite legislative delays and obstructions, both bills were approved by the King on March 17, 1766. Text in Pickering's "Statutes at Large," Vol. XXVII., pp. 19–20. (See page 156.)

WHEREAS several of the houses of representatives in his Majesty's colonies and plantations in America, have of late, against law, claimed to themselves, or to the general assemblies of the same, the sole and exclusive right of imposing duties and taxes upon his Majesty's subjects in the said colonies and plantations; and have, in pursuance of such claim, passed certain votes, resolutions, and orders, derogatory to the legislative authority of parliament, and inconsistent with the dependency of the said colonies and plantations upon the crown of Great Britain: . . . be it declared . . . , That the said colonies and plantations in America have been, are, and of right ought to be, subordinate unto, and dependent upon the imperial crown and parliament of Great Britain; and that the King's majesty, by and with the advice and consent of the lords spiritual and temporal, and commons of Great Britain, in parliament assembled, had, hath, and of right ought

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to have, full power and authority to make laws and statutes of sufficient force and validity to bind the colonies and people of *America*, subjects of the crown of *Great Britain*, in all cases whatsoever.

II. And be it further declared . . . , That all resolutions, votes, orders, and proceedings, in any of the said colonies or plantations, whereby the power and authority of the parliament of *Great Britain*, to make laws and statutes as aforesaid, is denied, or drawn into question, are, and are hereby declared to be, utterly null and void to all intents and purposes whatsoever.

Townshend's Revenue Act, 1767

This Act was primarily to raise revenue on various imports, but it also legalized the "Writs of Assistance." Three years after the adoption of this Act another one was passed making tea only dutiable. Extracts from text in Pickering's "Statutes at Large," Vol. XXVII., pp. 505–12 (see page 154). This Act, being one of the Acts advocated by Charles Townshend, Chancellor of the Exchequer, was entitled:

An act for granting certain duties in the British colonies and plantations in America; for allowing a drawback of the duties of customs upon the exportation, from this kingdom, of coffee and cocoa nuts of the produce of the said colonies or plantations; for discontinuing the drawbacks payable on china earthen ware exported to America; and for more effectually preventing the clandestine running of goods in the said colonies and plantations.

WHEREAS it is expedient that a revenue should be raised, in your Majesty's dominions in America, for making a more certain and adequate provision for defraying the charge of the administration of justice, and the support of civil government, in such provinces where it shall be found necessary; and towards further defraying the expenses of defending, protecting, and securing the said dominions; ... be it enacted ..., That from and after ... [November 20, 1767,] ... there shall be raised, levied,

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collected, and paid, unto his Majesty, his heirs, and successors, for and upon the respective Goods herein after mentioned, which shall be imported from *Great Britain* into any colony or plantation in *America* which



CHARLES TOWNSHEND

now is, or hereafter may be, under the dominion of his Majesty . . . , the several Rates and Duties following; that is to say,

For every hundred weight avoirdupois of crown, plate, flint, and white glass, four shillings and eight pence.

For every hundred weight avoirdupois of green glass, one shilling and two pence.

For every hundred weight avoirdupois of red lead, two shillings.

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For every hundred weight avoirdupois of white lead, two shillings.

For every hundred weight avoirdupois of painters colours, two shillings.

For every pound weight avoirdupois of tea, three pence.

For every ream of paper, usually called or known by the name of *Atlas fine*, twelve shillings.

IV. . . . and that all the monies that shall arise by the said duties (except the necessary charges of raising, collecting, levying, recovering, answering, paying, and accounting for the same) shall be applied, in the first place, in such manner as is herein after mentioned, in making a more certain and adequate provision for the charge of the administration of justice, and the support of civil government, in such of the said colonies and plantations where it shall be found necessary; and that the residue of such duties shall be paid into the receipt of his Majesty's exchequer, and shall be entered separate and apart from all other monies paid or payable to his Majesty . . . ; and shall be there reserved, to be from time to time disposed of by parliament towards defraying the necessary expences of defending, protecting, and securing, the British colonies and plantations in America.

VI. And whereas the allowing a drawback of all the duties of customs upon the exportation, from this kingdom, of coffee and cocoa nuts, the growth of the British dominions in America, may be a means of encouraging the growth of coffee and cocoa in the said dominions; be it therefore enacted . . . , That from and after . . . [November 20, 1767] . . . , upon the exportation of any coffee or cocoa nuts, of the growth or produce of any British

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colony or plantation in America, from this kingdom as merchandize, the whole duties of customs, payable upon the importation of such coffee or cocoa nuts, shall be drawn back and repaid; in such manner, and under such rules, regulations, penalties, and forfeitures, as any drawback or allowance, payable out of the duties of customs upon the exportation of such coffee or cocoa nuts, was, could, or might be paid, before the passing of this act. . . .

VII. And it is hereby further enacted . . . , That no drawback shall be allowed for any china earthen ware sold, after the passing of this act, at the sale of the united company of merchants of *England* trading to the *East Indies*, which shall be entered for exportation from *Great Britain* to any part of America. . . .

V 1

X. And whereas by . . . [the Navigation Act of 1662] ... and several other acts now in force, it is lawful for any officer of his Majesty's customs, authorized by writ of assistance under the seal of his Majesty's court of exchequer, to take a constable, headborough, or other publick officer inhabiting near unto the place, and in the day-time to enter and go into any house, shop, cellar, warehouse, or room or other place, and, in case of resistance, to break open doors, chests, trunks, and other package there, to seize, and from thence to bring, any kind of goods or merchandize whatsoever prohibited or uncustomed, and to put and secure the same in his Majesty's store-house next to the place where such seizure shall be made: and whereas by ... [the Navigation Act of 1696] ... it is, amongst other things, enacted, that the officers for collecting and managing his Majesty's revenue, and inspecting the plantation trade, in America, shall have the same powers and authorities to enter houses or warehouses, to search for and seize goods prohibited to be imported or exported into or out of any of the said plantations, or for which any duties are payable,

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or ought to have been paid; and that the like assistance shall be given to the said officers in the execution of their office, as, by the said recited act of the fourteenth year of King Charles the Second, is provided for the officers in England: but, no authority being expressly given by the said act . . . of King William the third, to any particular court to grant such writs of assistance for the officers of the customs in the said plantations, it is doubted whether such officers can legally enter houses and other places on land, to search for and seize goods, in the manner directed by the said recited acts: To obviate which doubts for the future, and in order to carry the intention of the said recited acts into effectual execution, be it enacted . . . , That from and after . . . [November 20, 1767,] . . . such writs of assistance, to authorize and impower the officers of his Majesty's customs to enter and go into any house . . . or other place, in the British colonies or plantations in America, to search for and seize prohibited or uncustomed goods . . . , shall and may be granted by the said superior or supreme court of justice having jurisdiction within such colony or plantation respectively.

Massachusetts Circular Letter Against Taxation, 1768

After the "Townshend Revenue Act" of 1767 had been read in the House of the Massachusetts General Court, it was referred to a committee for consideration, and a strong protest against taxation and several letters and petitions were sent to England. Later a committee was appointed to acquaint the colonies with the views of Massachusetts, and a "circular letter" was drawn up by Samuel Adams and sent to "each of the Houses of Representatives and Burgesses on the continent." From text in "Massachusetts State Papers," pp. 134–136. (See page 160.)

Province of Massachusetts Bay, February 11, 1768. SIR,

The House of Representatives of this province, have taken into their serious consideration, the great difficulties that must accrue to themselves and their constituents, by the operation of several acts of Parliament, imposing duties and taxes on the American colonies.

As it is a subject in which every colony is deeply interested, they have no reason to doubt but your House is deeply impressed with its importance, and that such constitutional measures will be come into, as are proper. It seems to be necessary, that all possible care should be taken, that the representatives of the several assemblies, upon so delicate a point, should har-

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monize with each other. The House, therefore, hope that this letter will be candidly considered in no other light then as expressing a disposition freely to communicate their mind to a sister colony, upon a common

Notification.

HE Town having at a lateMeeting appointed a Committee of Correspondence " to state the Rights of the Colonists, and of this Province in Particular, as Men, as Christians, and as Subjects and to communicate and publish the same to the several Towns in this Province, and to the World, as the Sense of this Town, with the Infringements and Violations thereof. that have been, or from Time to Time may be made-Alfo requesting of each Town a free. Communication of their Sentiments on this Subject;" and the Selectmen having been informed by the Chairman of faid Committee, that they are ready to make Report - The Freeholders and other Inhabitants of the Town of Boston, qualified as the Law directs, are hereby notified to meet at Faneuil-Hall, on Priday the 20th Day of November Instant, at Ton o'Clock before Noon, then and there to receive and act upon faid Report, and fuch other Matters and Things as may properly come under the Consideration of the Town, when thus affembled according to Law.

Boston, Nov. 16, 1772. By Order of the Select-Men, William Cooper, Town-Clerk.

FACSIMILE OF BROADSIDE NOTIFICATION FOR TOWN MEETING, BOSTON, NOVEMBER 16, 1772

concern, in the same manner as they would be glad to receive the sentiments of your or any other House of

Assembly on the continent.

The House have humbly represented to the ministry, their own sentiments, that his Majesty's high court of Parliament is the supreme legislative power over the whole empire; that in all free states the constitution is fixed, and as the supreme legislative derives its power and authority from the constitution, it cannot overleap the bounds of it, without destroying its own foundation;

that the constitution ascertains and limits both sovereignty and allegiance, and, therefore, his Majesty's American subjects, who acknowledge themselves bound by the ties of allegiance, have an equitable claim to the full enjoyment of the fundamental rules of the British constitution; that it is an essential, unalterable right, in nature, engrafted into the British constitution, as a fundamental law, and ever held sacred and irrevocable by the subjects within the realm, that what a man has honestly acquired is absolutely his own, which he may freely give, but cannot be taken from him without his consent; that the American subjects may, therefore, exclusive of any consideration of charter rights, with a decent firmness, adapted to the character of free men and subjects, assert this natural and constitutional right.

It is, moreover, their humble opinion, which they express with the greatest deference to the wisdom of the Parliament, that the acts made there, imposing duties on the people of this province, with the sole and express purpose of raising a revenue, are infringements of their natural and constitutional rights; because, as they are not represented in the British Parliament, his Majesty's Commons in Britain, by those acts, grant their property

without their consent.

This House further are of opinion, that their constituents, considering their local circumstances, cannot, by any possibility, be represented in the Parliament; and that it will forever be impracticable, that they should be equally represented there, and consequently, not at all; being separated by an ocean of a thousand leagues. That his Majesty's royal predecessors, for this reason, were graciously pleased to form a subordinate legislature here, that their subjects might enjoy the unalienable right of a representation: also, that considering the utter impracticability of their ever being fully and equally represented in Parliament, and the great expense that must unavoidably attend even a partial

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representation there, this House think that a taxation of their constituents, even without their consent, grievous as it is, would be preferable to any representation that could be admitted for them there.

Upon these principles, and also considering that were the right in Parliament ever so clear, yet, for obvious reasons, it would be beyond the rules of equity that their constituents should be taxed, on the manufactures of Great Britain here, in addition to the duties they pay for them in England, and other advantages arising to Great Britain, from the acts of trade, this House have preferred a humble, dutiful, and loyal petition, to our most gracious sovereign, and made such representations to his Majesty's ministers, as they apprehended would tend to obtain redress.

They have also submitted to consideration, whether any people can be said to enjoy any degree of freedom, if the Crown, in addition to its undoubted authority of constituting a Governor, should appoint him such a stipend as it may judge proper, without the consent of the people, and at their expense; and whether, while the judges of the land, and other civil officers, hold not their commissions during good behaviour, their having salaries appointed for them by the Crown, independent of the people, hath not a tendency to subvert the principles of equity, and endanger the happiness and security of the subject.

In addition to these measures, the House have written a letter to their agent, which he is directed to lay before the ministry; wherein they take notice of the hardships of the act for preventing mutiny and desertion, which requires the Governor and Council to provide enumerated articles for the King's marching troops, and the people to pay the expenses; and also, the commission of the gentlemen appointed commissioners of the customs, to reside in America, which authorizes them to make as many appointments as they think fit, and to pay the

A HISTORY OF THE AMERICAN PEOPLE

appointees what sum they please, for whose mal-conduct they are not accountable; from whence it may happen, that officers of the Crown may be multiplied to such a degree as to become dangerous to the liberty of the people, by virtue of a commission, which does not appear to this House to derive any such advantage to trade as

many have supposed.

These are the sentiments and proceedings of this House; and as they have too much reason to believe that the enemies of the colonies have represented them to his Majesty's ministers, and to the Parliament, as factious, disloyal, and having a disposition to make themselves independent of the mother country, they have taken occasion, in the most humble terms, to assure his Majesty, and his ministers, that, with regard to the people of this province, and, as they doubt not, of all the colonies, the charge is unjust. The House is fully satisfied, that your Assembly is too generous and liberal in sentiment, to believe that this letter proceeds from an ambition of taking the lead, or dictating to the other assemblies. They freely submit their opinions to the judgment of others; and shall take it kind in your House to point out to them any thing further, that may be thought necessary.

This House cannot conclude, without expressing their firm confidence in the King, our common head and father; that the united and dutiful supplications of his distressed American subjects, will meet with his royal

and favorable acceptance.

THE BOSTON TEA PARTY, 1773

Governor Thomas Hutchinson's account of the occurrence of December 16, 1773. Text from his "History of the Province of Massachusetts Bay, from 1749 to 1774." Lond., 1828, pp. 435-39, being the volume usually known as volume 3 of Hutchinson's Mass. (See page 168.)

The governor was unable to judge what would be the next step. The secretary had informed him, that a principal leader of the people had declared, in the hearing of the deputy secretary, that, if the governor should refuse a pass, he would demand it himself, at the head of one hundred and fifty men, &c.; and he was not without apprehensions of a further application. But he was relieved from his suspense, the same evening, by intelligence from town of the total destruction of the tea.

It was not expected that the governor would comply with the demand; and, before it was possible for the owner of the ship to return from the country with an answer, about fifty men had prepared themselves, and passed by the house where the people were assembled, to the wharf where the vessels lay, being covered with blankets, and making the appearance of Indians. The body of the people remained until they had received the governor's answer; and then, after it had been observed to them that, everything else in their power having been done, it now remained to proceed in the

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THE BOSTON TEA PARTY
(From an old print)

only way left, and that, the owner of the ship having behaved like a man of honour, no injury ought to be offered to his person, or property, the meeting was declared to be dissolved, and the body of the people repaired to the wharf, and surrounded the immediate actors, as a guard and security, until they had finished their work. In two or three hours, they hoisted out of the holds of the ships, three hundred and forty-two chests of tea, and emptied them into the sea. The governor was unjustly censured by many people in the province, and much abused by the pamphlet and newspaper writers in England, for refusing his pass, which, it was said, would have saved the property thus destroyed; but he would have been justly censured, if he had granted it. He was bound, as all the king's governors were, by oath, faithfully to observe the acts of trade, and to do his endeavour that the statute of king William, which establishes a custom-house, and is particularly mentioned in the oath, be carried into execution. His granting a pass to a vessel which had not cleared at the custom-house, would have been a direct violation of his oath, by making himself an accessory in the breach of those laws which he had sworn to observe. It was out of his power to have prevented this mischief, without the most imminent hazard of much greater mischief. The tea could have been secured in the town in no other way than by landing marines from the men of war, or bringing to town the regiment which was at the castle, to remove the guards from the ships, and to take their places. This would have brought on a greater convulsion than there was any danger of in 1770, and it would not have been possible, when two regiments were forced out of town, for so small a body of troops to have kept possession of the place. Such a measure the governor had no reason to suppose would have been approved of in England. . . .

Notwithstanding the forlorn state he was in, he

To the COMMISSIONERS appointed by the EAST-INDIA COMPANY, for the SALE of TEA, in AMERICA:

GENTLEMEN.

OUR appointment, which is notoriously designed to enforce the act of 7th, G. III. enforce the act of yib, G. III.
for raifing a recouse in America, judly claims the attention of every man, who
hot be forpride to find the eye? of ALL,
now fixed on you; at on men, who have it
in their power, to ward off the mold dangercur stroke, that has been ever imeditated againft the liberites of America.

You have before you the examples of maroof your subnove contryent; I mean

ny of your schappy countrymen; I mean fome of the STAMP MASTERS; examples, which, if properly attended to, may convince you, how foothin, how damperous it is, to undetake to force the loathfome pills of flivery, and opprellim, down the throats of a free, independent, and determined people Your appointment is exactly finitiar to that appointment is exactly finitar to were commissioned to enforce one revenue ad; you, to execute another. The Stamp and Tea Laws were both defigned to ratic a revenue, and to clabbilly parliamentary definedly, in America.

There cannot, therefore, be any difference in your appointment; except in this; that their office as Stamp Men, favoured that their office as Stomp Men, favoured fitrogly of the nature of excile effect; is while you, in the execution of your dary, may retain fome jain refemblance of the decent characters of Faders, But let not nemes deceive you; Your characters, as Stamp Maiters, and Tea Commillioners, have a flrong and near Bindity. They, and you could boall, that you were our brethren; they, and you one at leafs SUPPORT, if not LIFE, to America; and what characterizes the two employments in the fromestic circuits the two employments in the fromestic. not Life. to America; and wijat charac-terizes the two employments in the iterogeth manner, they, and you were marked out, by the configrators against our rights, too give the last, the finithing firoles to freedom in this country.—Strange indeed! That American Photals to pitchel on to violate You cannot be pitchel on to violate You cannot believe, that the Tea Mg, with respect to tis design and tendency, dif-fers in one fingle point from the Stamp Mg.

with reigned to its defign and tendency, differs in one fingle point from the Stamp Ad. It there be any difference, the Test Ad It felter be any difference, the Test Ad It felt more dangerase. The Stamp-Ad was funfilly felt, by all ranks of people; and was therefore opported by all; but the Test Add, more infidious in its operation, required frome pains to different in milignity—Under the Firff, no man bould trassler his property; he could not even revid a news paper, without feeing and feeling the detailable implication; it was therefore, too glaring to pais unnoticed and unopposed—But, under the Test Lew, the drifty being paid on importation, is alterwards Jaid on the article, and becomes fo blended with the the article, and becomes to blended with the the article, and becomes fo blended with the price of it, that, although every man who purchales tra, insopreted from Britain. msfp. of carefe pay ineducted from Britain. msfp. of carefe pay ineducted from Britain. msfp. of carefe pay ineducted, ext. exery man discover for known, and may, therefore, not object to it. It is in wain then to feel for any fifth thathen between the two employments. To American: I msft be a waiter of including Admiricant, it must be a matter of indefference, by what tille or title you may think proper to demean yourfeles; whether STAMP MASTERS, or TEA COM-MISSIONERS. If you are appointed to enforce the revenue att in America, any in-

tles you may affume to yourselves, in the exand infamous.

it parliament can of right, tax us ten pounds for any purpose; they may of right, tax us ten thousand, and so on, without end. And, if we allow them a fair opporturnity of pleading precedent by a fuccessful execution of the ten act, under your auspices, we may bid adieu to all that is dear and va-

Juable amongs mea.

Ireland, has long grouned under the weight of parliamentary restrictions and impositions. She was once a tich and flourishweight of parliamentary relitications and impositions. She was once a tich and flourishing file; but being charged beyond her abilities, with the payment of excellive funas, to worn out panders and whores, the is now finking beneath the infamous load; and must, ree long, die a martyr to the elysistic exerted of the parliament of Great Britishin. To this miferable fituation America will in time be resident, if you are marked and allowed to elected the feandalous office to which won its amounted. You are marked.

to which you are appointed. You are marked out as political Bombardiers to demolish the fair structure of American liberty; and much, very much depends on your conduct at this time. For he assured, resolute and much, very much depends on your conduct at this time. For he afforce, resolute and fuccessful as you may prove in the execution of your cifice. AMBERICAN so with not part with the PALLADIUM OF AMERICA mithest a heart STRUGGEL: a strongle which it is your duty, and the duty of every man, who withen the projective of ever the province of the conductive o

What appointments to work of a charles with the work of the control of the contro more real fatisfation as PRIMI INTER PARES; to which their virus may entitle them in a free country; than they can ever epilys as TRANTS ager aband of divisions to the country. The product of the moli important collects in the American flate; You have inlevel noded on the brood and fate bafts of diffraterfiled virtue; by discharging many publick duties, without tee or reward. And yorkcannot now as to discretely represent to your former virtuous actions; fo contrary to the fentiment of your watchful countrymen, as to be induced by the party white of a party commitgies, to divisit the fluction of fluorers your interaction fluctuation of the party of the first party of the fluorest party of the fluorest fluorest fluorest party and interaction.

petty cominglius, to vivas the flunchtes of fluority on your interchean Benthern.

If the East India company, can elub Mth warehouses in America for the falls of TEM, an which a duty is busplet, die the purple of realing a reviews in America, they may view, so like the control of the manner, any other articles of their trade. On fuch other articles, persisment may impose a clust to be paid in America.

wea; and the company a communication in of only take special care to pay such daty; and reimburse their constituents, by seeing it from the people. Thus the imposition may be increased at pleasure; and America be subjected without the possibility of redemp-

tion. It has been alledged by fome, that your friends in England, to whose special general favour you are entitled for the impactant commoffica, howe given from the through the trap high favour for the fully descention of the trap reposition you; and that, therefore, you cannot, in honour or good conscience, leave your friends in the forch; by neglect ing or refusing to comply literally with the tenor of your commission. So much, gen-tlemen, has been advanced in favour of your employment; let us now examine the force

It cannot be meant that your friends in tecannot be meant that your recous in England have engaged that you find execute the TEA ACT in America; this would be a rash engagement indeed: For it was well known in London what consuson your appointment would occasion in America: And no men would be so socials as to set you up in on an would be fo foolish as to fet you up for Quinters; and give Keerviy for your positive execution of any whimfold (chemes the Ministry or the Ead Into Company or the Ministry or the Edit Into Company or the Ministry or the Ministry

from the fale of the dutied article.

It is then evident that, yes conset injure year friends in England, by rejecting the hazardous employment to which you are nominated; but on the contrary, by fadeigr, you will tellify your regard for the rights and privileges of your American treithen; and prove to the world that you are not fetch men as your friends in England prede to the world that you are not fetch men as your friends in England prede a poltry conclument, would implictly fleatit the dagger off opprefixon in the bowels of your country.

your country.
The claim of Parliament to tax America, has been too well-enumed, for you to doubt, at this time, to which fide to the and justice liave given the palm — Do not, therefore, befitale at the course you ought to purfue. Dave given the course you mught to puritue.

If you deside ane, you are not, not to witue, lost to your constern, it is in vain to eaped that AMERICANS can give a faction of speed that AMERICANS can give a faction of speed that AMERICANS can give a possible to you consider that your constituents of the constraint of occasion, will be fach, at will promote your fource pacts and we have; anderen fully answer the arxions excellations of your Statemen, who knockety believe it is in your power to face them mackstroubles. And lattify, that your condoct may be fach, as will first more strongly from the deadly stroke now aimed, in any from the deadly stroke now aimed, in page 1876, will do not execute the diabatical examplification.

* . SCEVOLA.

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thought it necessary to keep up some show of authority, and caused a council to be summoned to meet at Boston, the day after the destruction of the tea, and went to town himself to be present at it; but a quorum did not attend. The people had not fully recovered from the state of mind which they were in the preceding night. Great pains had been taken to persuade them. that the obstructions they had met with, which finally brought on the loss of the tea, were owing to his influence; and, being urged to it by his friends, he left the town, and lodged that night at the castle, under pretence of a visit to his sons, who were confined there with the other consignees of the tea. Failing in an attempt for a council the next day at Milton, he met them, three days after, at Cambridge; where they were much divided in their opinion. One of them declared against any step whatever. The people, he said, had taken the powers of government into their hands—any attempt to restrain them would only enrage them, and render them more desperate; while another observed, that, having done everything else in their power to prevent the tea from being landed, and all to no purpose, they had been driven to the necessity of destroying it, as a less evil than submission to the duty. So many of the actors and abettors were universally known, that a proclamation, with a reward for discovery, would have been ridiculed. The attorney-general, therefore, was ordered to lay the matter before the grand jury, who, there was no room to expect, would ever find a bill for what they did not consider as an offense. This was the boldest stroke which had yet been struck in America.









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